11105
SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA BARBARA
SANTA MARIA BRANCH; COOK STREET DIVISION
DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

THE PEOPLE OF THE STATE OF)
CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

THURSDAY, MAY 19, 2005

8:30 A.M.

(PAGES 11105 THROUGH 11163)

REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304
BY: Official Court Reporter 11105

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I N D E X

Note: Mr. Sneddon is listed as “SN” on index.
Mr. Zonen is listed as “Z” on index. Mr. Auchincloss is listed as “A” on index.
Mr. Mesereau is listed as “M” on index. Ms. Yu is listed as “Y” on index.
Mr. Sanger is listed as “SA” on index.

DEFENDANT’S
WITNESSES DIRECT CROSS REDIRECT RECROSS
KING, Larry
(Nonjury) 11113-M
VINER, Michael
(Nonjury) 11120-M 11127-Z 11128-M
PRYOR, Azja 11138-M

1 E X H I B I T S
2 FOR IN DEFENDANT'S NO. DESCRIPTION I.D. EVID.
3
4 5088 CD of Vinnie Amen interview 11110
5 5089 DVD entitled "Neverland
6 Ranch 2005" 11137
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Santa Maria, California
Thursday, May 19, 2005
8:30 a.m.

(The following proceedings were held in open court outside the presence and hearing of the jury:)

THE COURT: Good morning, everyone.
COUNSEL AT COUNSEL TABLE: (In unison) Good morning, Your Honor.
THE COURT: I have the CD on the other issue, but I listened to it this morning. Did you deliver that, Mr. Sanger?
MR. SANGER: Yes, sir, we delivered it with a pleading.
THE COURT: And the transcript, I have that.
MR. SANGER: The same way we were doing that. Okay.
THE COURT: So what do you want to do with this? I listened to it. Should we put it in evidence or --
MR. SANGER: I think -- as we suggest in writing, I think we should mark it as an exhibit.
THE COURT: Next in order.
MR. SANGER: Next in order, yes.
THE CLERK: That would be 5088.
MR. SANGER: Thank you. 11110

THE COURT: All right. Now, I understand you're ready to call your next witness.
MR. MESEREAU: Yes, Your Honor. The defense will call Mr. Larry King.
THE COURT: All right.
Mr. King, come forward, please.
MR. BLUM: Good morning, Your Honor.
My name is Jeff Blum at Davis Wright Tremaine representing nonparty journalist Mr. King this morning. I'm here with Mr. Fields and Mr. Barondess, Mr. King's private attorneys.
MR. FIELDS: Good morning, Your Honor.
MR. BLUM: Your Honor, we have submitted a short memorandum outlining the shield law along the lines of Mr. Drew's testimony several weeks ago for the US Weekly.
And what Mr. King requests is that you conduct a brief 402 hearing to determine the scope of the direct and cross-examination to protect Mr. King's rights under California shield law and the First Amendment to the U.S. Constitution.
THE COURT: All right. I've reviewed your points and authorities. Thank you.
Mr. King, would you stand, and I'll have you sworn. Please raise your right hand, face the clerk.
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LARRY KING
Having been sworn, testified as follows:

THE WITNESS: I do.
THE CLERK: Please be seated. State and spell your name for the record.
THE WITNESS: Larry King. L-a-r-r-y. K-i-n-g.
THE CLERK: Thank you.
MR. MESEREAU: Shall I conduct the hearing, Your Honor?
THE COURT: Yes.
Before you start, let me complete a note I'm making.
THE BAILIFF: Make sure you guys either talk at the microphone --
MR. MESEREAU: Your Honor, Mr. King's counsel would like to reserve the right to object. Where would you like him to be?
THE COURT: Right there is fine.
MR. BLUM: All right. Thank you, Your Honor.
MR. MESEREAU: With your permission, I will not go into Mr. King's background, I'll simply get to the heart of the matter, the questions that I think are of importance to the Court.
THE COURT: I appreciate that.
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1 DIRECT EXAMINATION
2 BY MR. MESEREAU:
3 Q. Good morning, Mr. King.
4 A. Good morning.
5 Q. Mr. King, do you know an attorney named
6 Larry Feldman?
7 A. I do.
8 Q. And how long have you known Attorney Larry
9 Feldman?
10 A. Probably ten years.
11 Q. And do you have -- do you meet with Mr.
12 Feldman from time to time?
13 A. Occasionally.
14 Q. And have you interviewed Mr. Feldman?
15 A. Yes.
16 Q. My questions are not going to concern any of
17 those interviews.
18 Have you ever discussed this case with
19 Attorney Larry Feldman?
20 A. Yes.
21 Q. When did that happen?
22 A. Last year sometime, I think. I don't know
23 the date.
24 Q. And approximately what month do you think it
25 was?
26 A. Gee, I, you know -- I'd be -- it would be a
27 wild guess. It was sometime before this trial
28 started. 11113

Q. Okay.
A. Quite some time.
Q. And where did this meeting take place?
A. Took place at Nate ‘n Al’s Restaurant in Beverly Hills.
Q. Who else was present?
A. One of my producers, Nancy Baker, and three friends, Sid Young, Asher Dan and Michael Viner.
Q. And who arranged the meeting?
A. We contacted him -- I contacted Larry Feldman in order to try to convince him to come on our show.
Q. And did Mr. Feldman show up at Nate ‘n Al’s?
A. He did.
Q. Did he show up with anyone else?
A. No.
Q. Did he sit down with you?
A. We were in adjoining booths. He sat here. The booths only hold four. So -- I have breakfast there every morning. So I was sitting here, and Asher was sitting there, and Sid was sitting there, and Michael over here, and Nancy over there, and Larry Feldman was sitting right next to me.
Q. Did Mr. Feldman express any interest in working with your show?
A. Very much.
Q. How long did the meeting last?
A. About 45 minutes. 11114

Q. Okay. Did Mr. Feldman say anything to you about the Michael Jackson case?
A. He did.
Q. What did he say?
A. He said that -- that the case of ten years ago, when he represented the other person when there was a settlement, that was a definite good case. But he thought the woman in this case, the mother, was a whacko, was the term he used, and he thought she was in it for just the money. He had met with her. He didn't want to represent her. He advised her to see someone else and he informed the authorities. He didn't tell me which authorities.
Q. Did he say that this woman told him she wanted money?
A. No, I think he said he thinks she wants money.
Q. Did he say what he based that opinion on?
A. No.
Q. Did you ask him?
A. No. He just said she was a whacko. That -- he said "whacko" a couple of times, and he said, "She's in this for the money."
Q. When he said she was a whacko, did you ask Mr. Feldman what he meant?
A. No, I think that's self-explanatory.
Q. Okay. Did he say anything else about Janet Arvizo? 11115

A. Other than he refused to take her case.
Q. Okay. Did he give any other reasons why he refused to take her case?
A. He thought that it was -- she was just in it for the money, and she was a little erratic, or whacko, as he said, and he didn't want to represent her.
Q. Did he say he had met Janet Arvizo?
A. Yes.
Q. Did he tell you how many times he had met her?
A. No.
Q. Did he tell you where he met her?
A. I gathered it was his office, but he didn't say that.
Q. Now, you said he, Mr. Feldman, mentioned that he had given the authorities his opinion?
A. Yeah. I don't remember what authorities. He said that he gave his opinion to the authorities. What authorities, I don't remember.
Q. And did he say when he had given this opinion to the authorities?
A. I guess it was subsequent to meeting with her.
Q. Okay. Did he tell you who he was speaking to with the so-called authorities?
A. No.
Q. Did he tell you whether he had gone to 11116

authorities in Los Angeles?
A. Could have been Los Angeles. Could have been Los Angeles, could have been Santa Barbara. I don't remember.
Q. Did he say anything else about the Michael Jackson case that you remember?
A. Other than that he would like to be a regular on our show.
Q. Okay. And after that meeting, did he pursue any further discussions with you about being a regular on your show?
A. Well, we left the meeting and we would call him to pick a date for him to come on and he would be a regular panelist during the course of the trial.
And then we called him a week later. He didn't respond. And then a couple weeks later, I saw him at another restaurant at lunch, and I said, "What's going on?" And he said, "Well, there's -- something came up." And that's the last -- last we heard of it. He never came on.
Q. And at some point you learned he had decided to represent Janet Arvizo, correct?
A. I learned that just through reading it in the paper.
MR. ZONEN: I'll object as lack of foundation. Hearsay.
THE COURT: Sustained. 11117

Q. BY MR. MESEREAU: Did you ever learn that Mr. Feldman decided to represent Janet Arvizo after your discussion with him?
MR. ZONEN: Objection; lack of foundation.
MR. BLUM: Objection, Your Honor, to the extent it calls for the unpublished information. Mr. King got that information publicly. I'll permit him to testify to it.
THE BAILIFF: You've got to talk louder.
MR. BLUM: All right. I'll --
THE COURT: I'll sustain both of your objections.
MR. MESEREAU: No further questions.
THE COURT: Just a minute, Mr. Zonen. You may sit down, Mr. Mesereau. I'm not going to cut off examination, but at this point I don't find any reason to allow Mr. King to testify.
MR. ZONEN: I have no questions.
THE COURT: All right. Based on the offer of proof, I don't find that Mr. King's testimony would impeach Mr. Feldman, based on the record that you presented in your points and authorities. So I'll disallow his testimony.
MR. MESEREAU: Okay.
THE COURT: Thank you, Mr. King. You may step down.
THE WITNESS: Thank you. 11118

MR. BLUM: Thank you, Your Honor.
MR. MESEREAU: Your Honor?
THE COURT: Yes.
MR. MESEREAU: We would be calling Mr. Michael Viner next. And perhaps the Court would like to find out what he has to say outside the presence of the jury.
THE COURT: Thank you, Mr. Mesereau.
THE BAILIFF: Who's next?
MR. AUCHINCLOSS: Can I just address the Court real quick? While we're waiting, I just wanted to let you know, I'm still trying to get ahold of Mr. Fahey. I did listen to the tape last night. It's not in conformity with my recollection, so I did learn a few things listening to it. But we will be filing some paperwork on the issue, and I hope to have Mr. Fahey's declaration when we do. So I just wanted to let you know that should be coming in hopefully today.
THE COURT: All right. When you get to the witness stand, please remain standing. Face the clerk and raise your right hand.

MICHAEL VINER
Having been sworn, testified as follows:

THE WITNESS: Yes, ma'am. 11119

THE CLERK: Please be seated. State and spell your name for the record.
THE WITNESS: Michael Viner. V-i-n-e-r.
THE CLERK: Thank you.

DIRECT EXAMINATION
BY MR. MESEREAU:
Q. Good morning, Mr. Viner.
A. Good morning.
MR. MESEREAU: Your Honor, again, for purposes of the hearing, I think I'll dispense with background information and just get to the heart of the matter.
THE COURT: Thank you.
MR. MESEREAU: With your permission. Thank you.
Q. Mr. Viner, do you know someone named Attorney Larry Feldman?
A. I have met him.
Q. And where have you met him?
A. At Nate 'n Al's Restaurant.
Q. And when was this?
A. About six months ago.
Q. That was before this trial began?
A. Yes.
Q. And what was the purpose of the meeting?
A. I was just a bystander. It was really a meeting with Larry King and some people from CNN. 11120

Q. And what was the purpose of the meeting, if you know?
A. They -- I -- they were discussing Larry Feldman becoming a guest or an expert or rendering opinions on Larry's show regarding this upcoming trial.
Q. And where were you sitting at the meeting?
A. I was sitting on -- in the corner of one of two booths, side-by-side booths.
Q. Could you hear Mr. Feldman speak?
A. Yes.
Q. And did you hear him speak?
A. Yes, I did.
Q. Did you ever hear Mr. Feldman say anything about this particular case?
A. Yes.
Q. What did you --
A. About the subject matter of the case.
Q. What did you hear him say?
A. He expressed opinions about the accuser and his family.
Q. And what were his opinions?
A. To paraphrase, that he had met with them and felt that their statements, their case didn't hold up to scrutiny, and he didn't believe them.
Q. Did he say anything about the mother?
A. Yes.
Q. What did he say about the mother? 11121

A. That -- again, paraphrasing, not remembering verbatim, that she was out for money.
Q. Did he quote her as being out for money?
A. Yes. Well, no, he -- I'm sorry. I'm quoting him. I'm not implying that she said those words exactly.
Q. Did he tell you she said anything?
A. There was some discussion, but I couldn't and wouldn't want to say exact words, because I don't recall them.
Q. Did he ever say words to the effect, "She told me she wants money from Mr. Jackson"?
MR. ZONEN: Objection; leading.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Do you recall Mr. Feldman saying anything about what Mrs. Janet Arvizo told him?
A. That her motives were financial.
Q. And did Mr. Feldman say anything about Janet Arvizo's children?
A. Again, only referring, to my recollection, to the accuser, that -- that he had talked and I believe had someone else talk to the accuser, and he didn't believe the story.
Q. Did you say anything to Mr. Feldman about his comments?
A. I'm sure I -- you know, I chimed in a little bit on the conversation, but I don't remember what I 11122

said. Nothing significant in any way, I'm quite sure.
Q. Do you recall anyone else responding to his comments that the mother said she was out for money?
A. Again, I know there --
MR. ZONEN: That's a misstatement of the evidence, Your Honor.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Do you recall anyone else commenting on Mr. Feldman's statement about money?
A. There was general conversation, but I couldn't quote it.
Q. Okay. Did Mr. Feldman tell you when he had met with the mother?
A. I only knew it was sometime in the past, before that breakfast.
Q. Did he tell you where he met with her?
A. My impression, and I don't remember why this was my impression, but that it was his office.
Q. Did Mr. Feldman say anything to you about his belief that the allegations against Mr. Jackson are false?
A. Again, I want to be clear. I was a -- more a wallflower at this. He wasn't talking directly to me. But -- but I went away believing that -- definitively that he did not believe the allegations.
Q. Okay. Do you know what your belief was 11123

based on?
A. Yes.
MR. ZONEN: I'm going to object as a speculative belief. So I'll move to strike the last answer.
THE COURT: Stricken.
Q. BY MR. MESEREAU: Was your belief about what you heard Mr. Feldman say?
MR. ZONEN: Your Honor, that belief was stricken from the record.
THE COURT: I think it needs to be termed in something other than his beliefs.
MR. MESEREAU: Okay.
THE COURT: I'll sustain the objection.
Q. BY MR. MESEREAU: Did Mr. Feldman say anything about what the mother had told him?
A. He said that he didn't believe the mother's story.
Q. Okay.
MR. ZONEN: I'll object as nonresponsive to the question.
THE BAILIFF: Is your microphone on, Mr. Zonen?
MR. ZONEN: I'll withdraw the objection, Your Honor.
Q. BY MR. MESEREAU: What did he say the mother's story to him was?
A. Again, not being able to quote him exactly, 11124

and not wanting to misquote, it was that her son was sexually abused by Michael Jackson.
Q. And he said that he thought it was false?
A. Yes.
Q. Did he say she ever said anything to him about wanting money from Mr. Jackson?
MR. ZONEN: Objection; asked and answered.
THE COURT: Overruled.
You may answer. Do you want the question read back?
THE WITNESS: No, Your Honor.
I cannot specifically recall whether he said it was his opinion or she stated it, but -- but he did state that -- that that was -- or left me with the -- believing that that was her purpose in seeing him.
Q. BY MR. MESEREAU: And I'm trying to find out what your belief stemmed from.
A. The conversation.
MR. ZONEN: I'll object as to his belief being irrelevant and lacking in foundation.
THE COURT: I'll overrule the objection.
He's not calling for the belief, he's calling for the underlying statement.
Q. BY MR. MESEREAU: Did you hear him say anything to the effect that, "My opinion is based upon her statement to me that she wants money"?
MR. ZONEN: I'll object as leading. 11125

THE COURT: Sustained.
Q. BY MR. MESEREAU: Do you recall anything in that discussion that suggested that Janet Arvizo, the mother, told Mr. Feldman she wants money from Mr. Jackson?
MR. ZONEN: I'll object as leading and calling for a conclusion, an opinion, and asked and answered.
THE COURT: I'll sustain the objection on "suggested." Calls for his opinion.
MR. MESEREAU: No further questions.
THE COURT: Mr. Zonen? I have -- there's one area I'm still concerned about. Let me find it. Both attorneys, do you have a transcript in front of you?
MR. MESEREAU: Yes, Your Honor.
THE COURT: Look at page 13, lines 9 through 12.
MR. ZONEN: The Livenote you're talking about?
MS. YU: Of yesterday?
THE COURT: Today.
MR. SANGER: We don't have it.
THE COURT: Would you look at it? Do you have it in front of you?
MR. ZONEN: Did you say 30 or 13?
THE COURT: 13, 12. Actually 13, 9, I'm sorry.
MR. ZONEN: This is Mr. King's testimony? 11126

THE COURT: No. Come up here, please. I've got it here.
(Discussion held off the record at sidebar.)

CROSS-EXAMINATION
BY MR. ZONEN:
Q. Mr. Viner, good morning.
A. Good morning, sir.
Q. Am I pronouncing your name correctly?
A. Viner.
Q. Mr. Viner.
Is it true that Mr. Feldman did not say anything to you during the course of that conversation?
A. No, I don't think so. I'm sure, you know, there was some -- some back and forth.
Q. I'm sorry, there may have been some back and forth between you and Mr. Feldman?
A. There was back and forth. Yes, sir.
Q. Was it a discussion at all about this case?
A. Yes.
Q. Is it true that Mr. Feldman did not tell you anything that Janet Arvizo told him?
A. I don't recall exact quotes.
Q. All right. You cannot stand here today with any degree of certainty and tell us what exactly it was that Janet Arvizo told Larry Feldman?
A. I certainly wasn't there. No, I don't know 11127

exactly what he told her.
Q. And you don't have a specific recollection of any specific quote that Mr. Feldman told you that was directly related to Janet Arvizo?
A. I can tell you only in a general term what he said, not specifically.
Q. All right. And you have difficulty at this time being able to distinguish between Mr. Feldman giving a personal opinion as opposed to Mr. Feldman telling you what his client had said?
A. Um, in terms of exact quotes, that would be correct, sir.
MR. ZONEN: I have no further questions.
THE COURT: Mr. Mesereau?

REDIRECT EXAMINATION
BY MR. MESEREAU:
Q. Mr. Viner, excluding any requirement that you give an exact quote, is it correct that Mr. Feldman said words to the effect --
MR. ZONEN: I'm going to object as leading.
Q. BY MR. MESEREAU: -- that, "Janet Arvizo wants money"?
MR. ZONEN: Objection; leading.
THE COURT: Just a moment.
I'll overrule the objection.
You may answer that.
THE WITNESS: Yes. 11128

Q. BY MR. MESEREAU: Was it your understanding, based upon what you heard Mr. Feldman say, that Janet Arvizo had told him in a meeting that her motives against Mr. Jackson were financial?
MR. ZONEN: Objection to his understanding as being opinion and irrelevant. The question is what was said.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did Mr. Feldman say words to the effect, "I met with Janet Arvizo and I learned from her that her motives against Mr. Jackson are financial"?
MR. ZONEN: Objection; leading.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Do you know whether or not Mr. Feldman said words to the effect that he met with Janet Arvizo and her motives are financial, based on what she told him?
MR. ZONEN: Objection. Leading; calls for an opinion.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did Mr. Feldman say that Janet Arvizo, the mother, had told him anything?
A. Yes.
Q. What did Larry Feldman say Janet Arvizo had told him?
A. I do not have the ability to quote exactly. But the upshot of what he said was that he believed 11129

that she was out for the money.
Q. And did he say his belief --
MR. ZONEN: I'll object as nonresponsive,
"that he believed."
Q. BY MR. MESEREAU: Did he say --
MR. ZONEN: There's an objection pending.
THE COURT: Sustained. Stricken.
Q. BY MR. MESEREAU: Did Mr. Feldman say his
belief was based upon what Janet Arvizo had told him
about money?
A. Yes.
Q. In effect, without remembering the exact
quotation, did Mr. Feldman say, "Janet Arvizo is out
for money, based on what she told me"?
MR. ZONEN: I'll object as leading and
calling for a conclusion.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did Mr. Feldman ever say
words to the effect Janet Arvizo told him she wants
money from Mr. Jackson?
A. That is my belief, yes.
MR. ZONEN: Your Honor, I'd like the record
to reflect there was a 15-second pause between the
conclusion of the question and the answer. And I'll
move to strike the answer as an opinion.
MR. MESEREAU: His belief is based on what
he heard, Your Honor.
THE COURT: Just a moment. Let me read this. 11130

The objection is overruled.
MR. MESEREAU: No further questions.
MR. ZONEN: No further questions.
THE COURT: All right. I do not believe that this witness's statements are sufficient to impeach Mr. Feldman, so I will not allow him to testify.
You may step down.
THE WITNESS: Thank you, sir.
THE COURT: Who is the next witness you're going to call?
MR. MESEREAU: It's Azja Pryor, Your Honor.
THE COURT: And we don't need to have another hearing on this?
MR. MESEREAU: Not that I know of.
THE COURT: Okay. I'll recess so that you can bring in the jury.
MR. SANGER: Your Honor, just for a heads-up, we do have a witness after this who I believe the District Attorney is going to interpose an objection to part of what the witness after this is going to be presenting. So just as a heads-up, we may need to address that.
THE COURT: Is that something we should address now or should it wait?
MR. SANGER: We could address it now. That's why I was bringing it up so the Court can decide. It's not inviting their objection, I just want to make sure we're -- 11131

THE COURT: No, it's just to help the flow of evidence. Thank you.
THE BAILIFF: Are you leaving the bench or do you just want them brought in?
THE COURT: We're not doing anything right at the moment, but I will leave the bench before you bring in the jury.
MR. SANGER: Can I tell you what it's about and that will help?
THE COURT: Yes, but let's make sure we have their attention.
MR. SNEDDON: Yes, sir.
THE COURT: Do you know what he's talking about?
MR. SNEDDON: Yes, sir.
THE COURT: Are you prepared to deal with that right now?
MR. SNEDDON: I am.
MR. SANGER: We have a witness by the name of Larry Nimmer and he is a videographer in Carpinteria. His office is there. He's experienced in doing day-in-the-life videos and other documentation for court cases. He's testified all over the place, we'll lay the foundation. He is going to come in and present, if -- or it would be our request that he come in to present two different videos. The first one I believe we do not have an objection, or we've worked 11132

it out. It has to do with the ringing of the bell at the entrance to Mr. Jackson's suite. And we have an agreement that he can testify to that, and put that on.

We will call back Maria Gomez, who was the person who is setting the bell off by walking through the door, at the request of Mr. Sneddon for whatever purpose, for whatever questions he wants to ask about that video. So that's worked out.

The second is a video of Neverland that we are offering in lieu of the visit to the scene that we requested. And it goes from the front gate to -- through Neverland, to the end. I believe it is 19 and a half minutes. That's my recollection.

THE COURT: So it's not unduly long.

MR. SANGER: Not unduly long.

We tried to capture -- most of it's during the day, showing the guesthouse, showing clocks, showing the trains, showing the out -- you know, the overall property. And then the part at the end is during the night, showing it lit up, and then that's it.

So that's our offer. We do have the video. We could show the Court. But that's our offer. I think it should be acceptable.

THE COURT: Mr. Sneddon?

MR. SNEDDON: Judge, first of all, about the short video, the shorter of the two, Mr. Sanger is 11133

correct. We'll agree to go ahead and let it be played this morning subject to the maid. And I'm assuming in Mr. Sanger's offer that Mr. Nimmer is going to testify about the manner and method of the preparation of it as opposed to just -- we're not agreeing to -- we want that foundation part to come in and we want to hear testimony, because we have some questions we want to ask him. So with that caveat, then the answer is yes.

MR. SANGER: Just to clarify that, the answer to that is yes, we will have him testify how he did it.

MR. SNEDDON: And with regard to the second video, I really think the Court should see the entire video, because there is a lot of things in there, including notes from Mr. Jackson's children to him, and a lot of focusing on photographs showing him with children, and I'm not -- in my recollection, some of the stuff that's in there wasn't even at the ranch at the time these events occurred, and I believe -- we object to it. We object to -- if they'd just simply shown the grounds and done a straightforward presentation, that's one thing. But this is clearly a puff piece that has a lot of stuff that is really not relevant to this -- to this -- to this case. And I think if you see it, that you will see it in that manner and not for simply being an illustration of where the guest 11134

cottages are or the bedroom is or where this is. It really doesn't reflect that.
And I would ask the Court to please view it ahead of time before you allow the jury to see it.
It's about 19 minutes, I think. It's not unduly long, but I do believe it's unduly -- I don't want to use the word "prejudicial," but it's really -- it's a self-serving documentary that goes far beyond just simply showing what the ranch is like. So that is our objection.
THE COURT: Well, if you -- I would have to review it first, if that's your request, before I determine its admissibility.
MR. SNEDDON: Thank you.
MR. SANGER: I have a copy. I have the original, actually. I don't know. It's a CD. So I have whatever it is. I'd be happy to have it marked and then the Court can take a look at it.
THE COURT: Why don't you do that.
MR. SANGER: Should I do that? Let me do it on the record.
All right. I have a DVD that's entitled "Neverland Ranch 2005" and it says, "Length, 19 minutes and eight seconds. Duplication date, 5-17-05. Nimmer Legal Graphics." And I'd ask that this be marked as defense next in order.
And then I take it the Court's going to watch it off the bench, or do you want to watch it 11135

here?
MR. SNEDDON: I would request that the Court view it off the bench.
THE COURT: I think I should view it on the bench, because it's not an evidentiary hearing that requires any secrecy. It's just -- but I don't want to do it now. The jury's been waiting. I'm trying to think. How long is the next witness going to take?
MR. SANGER: I believe she'll probably be a little while. That's as close as I can get to an estimate.
THE COURT: You don't really know. I should watch that before you call the next witness after her.
MR. SANGER: Right now, this -- Mr. Nimmer would be the next witness after her. If there's a problem, we may be able to put another witness in first. Just depends. This witness, the next witness, could go for a half an hour or three hours. I just don't know.
THE COURT: Why don't we handle the next witness.
MR. SANGER: Very well.
THE COURT: And then we'll see where we are and how we'll deal with me viewing that. Have you given that CD to the clerk?
THE CLERK: Yes. 11136

THE COURT: You have it.
THE CLERK: Judge, that's Exhibit 5089.
THE COURT: You know what I would like to do if -- well, that's okay. Let's get the jury in.

(The following proceedings were held in open court in the presence and hearing of the jury:)

THE COURT: Good morning.
COUNSEL AT COUNSEL TABLE: (In unison) Good morning, Your Honor.
THE COURT: Call your next witness, please.
MR. MESEREAU: Your Honor, the defense will call Ms. Azja Pryor.
BAILIFF CORTEZ: Face that way.
THE COURT: Raise your right hand and face the clerk here.

AZJA PRYOR
Having been sworn, testified as follows:

THE WITNESS: Yes, I do.
THE CLERK: Please be seated. State and spell your name for the record.
THE WITNESS: My full name is Azja Pryor. A-z-j-a, P-r-y-o-r.
THE CLERK: Thank you. 11137

DIRECT EXAMINATION
BY MR. MESEREAU:
Q. Good morning, Miss Pryor.
A. Good morning.
THE BAILIFF: Mr. Mesereau, you're going to have to have her move way forward.
BAILIFF CORTEZ: Move closer.
Q. BY MR. MESEREAU: Okay?
A. Uh-huh.
Q. Miss Pryor, you live in Los Angeles County, correct?
A. Yes, I do.
Q. And what is your line of work?
A. I'm a casting assistant in television.
Q. And where do you do that?
A. At Paramount Studios.
Q. Okay. Do you know someone named Chris Tucker?
A. Yes, I do.
Q. And how do you know Chris Tucker?
A. Chris is the father of my son.
Q. Okay. And how long have you known Chris Tucker?
A. For about eight years now.
Q. How old is your son?
A. My son is six.
Q. Okay. Do you know the fellow seated at counsel table to my right? 11138

A. No, I do not.
Q. Okay. Have you ever been to his home?
A. Yes, I have.
Q. And when did you do that?
A. About three to four times.
Q. Okay. When did you first visit Neverland?
A. I first visited Neverland in 1999.
Q. Okay. And Mr. Jackson was not there?
A. No, he was not.
Q. Okay. Did you ever meet a family by the name of Arvizo?
A. Yes, I did.
Q. And when did you meet them for the first time?
A. I first met the Arvizos in October of 2000.
Q. And where did you meet them?
A. At my home.
Q. Okay. What caused them to be at your home?
A. My son's father, Chris, brought them over and we were going to take them to an amusement park.
Q. Okay. And do you recall their names?
A. Yes.
Q. And what are their names?
A. Star, Gavin and Davellin.
Q. Okay.
A. And also David, the father.
Q. Okay. Did you ever meet the mother, Janet?
A. Yes, I have. 11139

Q. When did you first meet Janet?
A. I first met Janet in July or August of 2001.
Q. And where was that? Where did you meet her?
A. I believe it was The Four Seasons Hotel in Beverly Hills.
Q. Okay. Now, so when you first met the Arvizos at Chris Tucker's home --
A. At my home.
Q. At your home, excuse me. -- (Continuing) was Janet there?
A. No, she was not.
Q. Was David, the father, there?
A. Yes, he was.
Q. And who else was present?
A. The three children, their father, Chris and myself.
Q. Okay. And that was to go on a trip?
A. Yes.
Q. Okay. Did you do that?
A. Yes.
Q. And how long a trip was it?
A. I'll say we left my house around 8:30 and didn't return back to my house till about 1:30 in the morning.
Q. Okay. And that was the first time you had ever actually met them, right?
A. Yes, it was.
Q. Did you have an understanding as to how long 11140

Chris Tucker had known them?
A. Not for long. I can't give you a period of time. I would say no more than a month, a couple of weeks.
Q. And did you have an understanding as to where Chris Tucker met the Arvizo family?
A. Yes, he met them at The Laugh Factory.
Q. Okay. Now, after that first trip that you just described, did you stay in touch with the Arvizo family?
A. Yes, I did.
Q. And what do you mean by that?
A. More so Chris stayed in touch with them, talking to them on the phone at this period of time, but I would see them from time to time. Chris would bring them over to his house. And along with myself and my son, we would all take them different places, various places.
Q. And where did you take them?
A. We took them -- well, Chris took them to a Raiders game in Oakland. We took them to -- out to eat. I took them horseback riding once, even though we didn't end up horseback riding, but I did take them with the intention of going. And I can't remember anything else.
Q. You were not on the trip to the Raiders game, right?
A. No, I was not. 11141

Q. That was in Oakland, right?
A. That was in Oakland.
Q. Do you know how the Arvizo family and Chris got to that game?
A. By plane.
Q. Who arranged that trip, if you know?
A. Chris did.
Q. And after the trip to the Raiders game in Oakland, you said that you went out to eat with them?
A. Well, I didn't go to the Raiders game.
Q. Okay.
A. But I had taken them out to eat before.
Q. Okay. Is this before the Raiders game?
A. Not on the actual day, but before that time when they went to the game. You know, maybe a month before, or maybe a month afterward.
Q. Now, when you say you would take them out to eat, who are you referring to?
A. The three kids.
Q. Okay. What about the parents?
A. Well, David was always there. When David was around, David was always with the children.
Q. Okay. Did you ever see Janet with the children when you were with them?
A. Not until after I met her in July 2001. I never saw her until that point.
Q. Okay. Would you talk to the children on the 11142

phone from time to time?
A. From time to time, yes.
Q. And normally would you call them or would they call you?
A. They would call me.
Q. Okay. Would they call you at your home?
A. Yes, they would. They did not have a phone a lot of the time. So if I did call them, it would be over to their grandmother's house, who did have a phone, or they would call me, definitely.
Q. Now, what year did the phone calls start?
A. I don't remember.
Q. Okay. Did you start talking to the Arvizo children on the phone shortly after you first met them?
A. No.
Q. Okay. Was there a reason that you know of why you didn't talk to them right after you first met them?
A. No. You know, I just -- I thought they were more Chris's friends. Chris had met them. You know, he had taken a liking to the children, and I didn't -- I had a lot going on in my own life so I didn't -- I just didn't call them right away. It wasn't until later, until we actually developed a relationship, that I would call them.
Q. And when do you think you actually developed a relationship with the Arvizo family? 11143

A. I'll say in late 2001.
Q. And is there any particular reason why you suddenly began to talk to them on your own as opposed to when you were with Chris?
A. Yes. The reason being is the kids, especially Davellin, really took to me. We really bonded. And she was in an Explorer program or a cadet program, some kind of police academy something, I don't know exactly the name of it, and she invited me to the graduation. I went, and after that, that's when we really started talking on the phone.
Q. And that's approximately 2001?
A. Yes, late -- sometime before Christmas 2001. Sometime in December.
Q. Would Davellin call you on the phone?
A. Yes, she would.
Q. Would Gavin call you on the phone?
A. Sometimes, yes.
Q. How about Star?
A. He wouldn't call me. But I would talk to the three children. If I was on the phone with either one of them, they would put the other ones on the phone.
Q. So when you spoke to any of the children on the phone, the other two were usually there?
A. Yes. Definitely.
Q. Did you speak to the father, David, from 11144

time to time?
A. Only when I saw him. I never talked to him on the phone.
Q. Okay. And how many times do you think you've ever seen David Arvizo?
A. If I would have to estimate, I would say probably about four or five times in all.
Q. And where did you see David Arvizo?
A. At my home.
Q. Okay.
A. At Chris's home. At a premier for Rush Hour 2. Those are the only times I can recall seeing him.
Q. Okay. Would you say that you spoke to Davellin more than Gavin?
A. Yes.
Q. Would you say you spoke to Davellin more than Star?
A. Yes.
Q. And would it be accurate to say you spoke to Gavin more than Star?
A. No.
Q. Okay. You spoke to Gavin and Star about the equal amount of times?
A. About the same, yes.
Q. Okay. Did you ever learn anything about a fund-raiser at The Laugh Factory for Gavin?
A. Yes, I did.
Q. And what did you learn about that? 11145

A. I learned that there had been a fund-raiser held at The Laugh Factory to raise money for Gavin's sickness.
Q. Okay. And where did you learn that from? Or who did you learn that from? Excuse me.
A. First from Chris. Chris told me. That's how he met Gavin.
Q. Okay. He met him at the fund-raiser?
A. Uh-huh.
Q. Now, at that point in time, did Chris Tucker go to The Laugh Factory on a regular basis?
A. I don't know.
Q. Do you know how often he would show up there?
A. Not that often.
Q. Okay.
A. I don't know.
Q. Do you know how he found out about the fund-raiser?
A. From what Chris told me, he had been at The Laugh Factory --
MR. SNEDDON: Your Honor, I'm going to object to hearsay statements. Move that the answer be stricken.
THE COURT: Sustained. Stricken.
Q. BY MR. MESEREAU: Do you know whether or not Chris Tucker attended the fund-raiser at The Laugh Factory that you just talked about? 11146

A. Yes.
Q. Do you know approximately when that was? If you recall.
A. I would say maybe in the month of October, but that would be a guess. Again, I think it was shortly before we went to the Knott's Berry Farm, before we took the children to Knott's Berry Farm. He had just met them.
Q. And do you recall whether or not there was more than one fund-raiser for Gavin's sickness?
A. Through later conversations with his mother, I do believe that there was more than one.
MR. SNEDDON: Move to strike, based on hearsay.
MR. MESEREAU: State of mind. Not offered for the truth.
THE COURT: The motion to strike is denied.
Q. BY MR. MESEREAU: What year do you think you first met Janet?
A. 2001.
Q. Okay. And did you develop a relationship with Janet?
A. Yes.
Q. And could you please describe that relationship?
A. The relationship that I had with Janet was based on the love that I shared for her children. It's hard for me because I really do love the kids a 11147

lot.
Q. Would you like some water? Do you want a little water? Are you okay?
A. Okay. Because of the love I have for her children and because of Gavin's sickness, and I'm a mother myself, I -- that's how we became, I wouldn't say friends, but it was -- there was a mutual feeling there that she could talk to me about a lot of things --
Q. Okay.
A. -- regarding her children. And I really did love her kids.
Q. Okay. And did she talk to you from time to time about her children?
A. Yes.
Q. Okay. Would Janet typically call you on the phone?
A. Yes.
Q. And do you know where she would typically call you from?
MR. SNEDDON: Your Honor, I'm going to object as vague as to time.
THE COURT: All right. Sustained.
MR. MESEREAU: I'll rephrase it, Your Honor.
Q. Miss Pryor, during the year 2001 --
A. Uh-huh.
Q. -- do you recall Janet Arvizo telephoning you? 11148

A. Yes.
Q. And approximately when did these calls start?
A. I would say that the calls started towards the later part of the year. I believe it was after Davellin's Explorer graduation or the cadet graduation. That's when they started.
Q. Did you used to talk to Janet about Gavin's illness?
A. Yes.
Q. Okay. Did you visit Gavin at the hospital?
A. Once, yes.
Q. And when was that?
A. That was New Year's. It was after midnight so it would have been New Year's of 2001. And Janet was not there.
Q. Okay. Who was there?
A. The three kids and David.
Q. Okay. And what time of day was this, if you remember?
A. It was after midnight.
Q. And that's Kaiser?
A. Yes.
Q. In Los Angeles, right?
A. In Hollywood, yes.
Q. Now, how many times do you think you spoke to Janet Arvizo on the phone?
A. I have no way of telling you that answer. I 11149

don’t know.
Q. Was it quite often?
A. There would be times when I would talk to her two or three times a week and there would be times when I wouldn’t talk to her for three to four months at a time.
Q. Okay. Did you and Janet ever meet at any locations during the year 2001?
A. Only at Davellin’s cadet graduation.
Q. Okay. How about during the year 2002, did you stay in touch with Janet?
A. I stayed in touch with her. I talked to her mostly during the beginning part of the year of 2002. And then I saw her in September of 2002.
Q. And where did you see Janet in September of 2002?
A. She was on a bus with us. My son was having a birthday party at Neverland, and she rode up on the bus with myself and our family.
Q. Okay. Now, when she accompanied you on that bus trip, were her children with her?
A. Yes.
Q. Okay. And would that be Star, Gavin and Davellin?
A. Yes.
Q. Okay. And did you meet at the bus for that trip?
A. I don’t remember. 11150

Q. Okay.
A. I believe so. We didn't pick her up. I think she met us. We all met at The Beverly Hills Hotel.
Q. And did you talk to Janet in advance about her family joining you on that trip?
A. Yes.
Q. And did you invite Janet and the children to join you on that trip?
A. Yes, I did.
Q. Okay. So you met at The Beverly Hills Hotel?
A. Uh-huh.
Q. Was day was this, if you remember?
A. It was September 14th, 2002.
Q. And was that during the week or was that a weekend?
A. It was a Saturday.
Q. Okay. And what time did you meet the Arvizo family for purposes of the bus trip?
A. I don't remember.
Q. Okay.
A. It would have been in the morning time, maybe around 11:00.
Q. Okay. So they came with you to Neverland for the birthday party, right?
A. And her friend Jay came.
Q. Is that Jay Jackson? 11151

A. I guess. I don't know. I remember his name was Jay. I don't know his last name.
Q. What did he look like?
A. White. Not too tall. Probably about five-seven. Maybe in his late 30's, early 40's. Blond hair.
Q. Was it your understanding that he was in the United States Army?
A. No, it was not. No one told me that.
Q. But you think his name was Jay?
A. I know his name was Jay.
Q. And he had blond hair?
A. Yes.
Q. Was it long?
A. No. It was like this.
Q. Okay.
A. I don't know.
Q. Okay. So you went to Neverland for the party?
A. Uh-huh.
Q. All of you. You spent the day at Neverland, right?
A. We spent the whole day at Neverland, yes.
Q. And did you talk to Janet during that day?
A. I don't remember having any conversations. I would see her around on the rides and things like that. But I -- we had over 50 people there, so I was entertaining, and, you know, I don't remember 11152

having any in-depth conversations with Janet at that time.
Q. Was Chris Tucker there?
A. Yes, he was.
Q. Okay. How did he get there, if you know?
A. We all rode together.
Q. He was on the bus, too?
A. Yes.
Q. How many people were on that bus ride?
A. We actually had two buses. And there were a lot of people. We have a very big family.
Q. Now, Michael Jackson wasn't there that day, right?
A. No, he was not.
Q. And was it your understanding that the -- Michael had allowed the party to take place at Neverland?
A. I know he allowed it.
Q. How do you know that?
A. Because I actually talked to him on the phone briefly when he and Chris were in Vegas.
Q. Okay. Did you ask Michael if you could have the party at Neverland?
A. I believe Chris did, and Michael said it was okay.
Q. Okay. And if you know, who made the arrangements for the party at Neverland?
A. A woman by the name of Evvy. 11153

Q. Okay. Is that Michael Jackson's assistant?
A. I guess so.
Q. Did you speak to her?
A. Yes, I did.
Q. Okay. And so she made the arrangements for the party. Did she arrange the buses also?
A. No. That was our own arrangement.
Q. Okay. Now, did you spend much time with the Arvizo children that day during the birthday party at Neverland?
A. Davellin was by my side the entire day.
Q. Okay. And how about Gavin and Star, did you see much of them?
A. No. They were with Chris or they were -- you know, they knew their way around so -- it wasn't like it was their first time there, so they were all over the place.
Q. Okay. But that was your first trip there, right?
A. No, that was --
Q. That was your second trip?
A. My second or third. I can't remember.
Q. Okay. All right. And when the party ended, was it nighttime?
A. Yes.
Q. And did you all come back on the bus?
A. Some of us did. Chris and the kids stayed overnight at Neverland. 11154

Q. So that would be Chris and the Arvizo children?
A. Yes.
Q. Okay. Do you know if Janet stayed there?
A. I don't remember. I know she was not on the bus that I was on.
Q. Was David Arvizo there for the party?
A. No. David hadn't been in the picture at this time for about a year.
Q. So you know that Chris stayed with the children at Neverland but you're not sure if Janet was there, right?
A. Right.
Q. Do you know whether or not Janet came home that day?
A. I don't know.
Q. Okay. Excuse me. Did you ever return to Neverland again?
A. Yes, I did.
Q. And when was that?
A. In February of 2003.
Q. Why did you go to Neverland in February of 2003?
A. The children asked me to take them.
Q. Okay. Now, before you went back in February of 2003, did you have regular contact with the Arvizo family?
A. No. I don't -- during that period, from 11155

September of ‘02 to February, I don’t remember talking to them. Maybe I had one phone conversation. I know I definitely did not see them during that time.

Q. Now, at some point in time, did any of the Arvizo children spend the night at your house?

A. Yes.

Q. And approximately when was that?

A. I don’t know.

Q. Who spent the night at your house?

A. Davellin did.

Q. Okay. Did either Star or Gavin ever spend the night at your house?

A. Huh-uh.

Q. Did they ever request to?

A. Uh-huh.

Q. Tell us about that.

A. They would ask. When I went to their apartment to pick up Davellin, they tried to jump in the car, but I kind of wanted it just to be a girls day out, but they -- I think Gavin even jumped in the trunk of my car.

Q. All right.

A. Trying to come along.

Q. And what did you do when Gavin jumped in your car trunk?

A. I told him to get out; he couldn’t come. It was just for his sister. 11156

Q. Did he get out?
A. Yeah, he got out.
Q. Now, where was this?
A. That was at their apartment.
Q. So you had driven to their apartment?
A. Uh-huh.
Q. And where was the apartment located?
A. Kind of near downtown. I think Soto Street.
Q. Okay. At this point in time, did you observe the behavior of the Arvizo children?
MR. SNEDDON: Your Honor, I'm going to object as vague as to time.
Q. BY MR. MESEREAU: Well, during the time that Davellin came to your house to spend the night --
A. Uh-huh.
Q. -- the same time where Gavin jumped in your trunk and you had to get him out, did you have an occasion to observe the behavior of the children?
A. On that day?
Q. Yes.
A. Yes.
Q. And what was your observation?
A. Same observation I've always had when watching the children, is that the boys were a little rough. My son at the time was only four, and Gavin and Star were older, and they were a little rough. And it would concern me sometimes, because my son would want to play, but they really 11157

roughhoused a lot, so I would be extra -- I would have to be extra careful around them.
Q. Okay. When you say they roughhoused a lot, what do you mean?
A. Wrestling, you know, doing the things that boys do that just -- play-fighting and things like that.
Q. And I gather the boys never did spend the night at your house, right?
A. No.
Q. Do you know if the Arvizo children ever spent the night at Chris Tucker's home?
A. Yes, I believe Gavin and his dad did.
Q. Do you know approximately when that was?
A. No, I don't.
Q. Okay. Do you know how many times they spent the night at Chris Tucker's home?
A. No, I don't.
Q. Did Janet ever ask you for any help for the children?
A. No.
Q. Did Janet ever ask you for any kind of assistance for her family?
A. No.
Q. Did you ever give the family any assistance?
A. Do you mean monetarily?
Q. Sure.
A. Yes. 11158

Q. When was this?
A. I gave them a Christmas gift of $600.
Q. And what led up to that gift?
A. I knew that it was a really hard time for them. This would have been after Davellin's graduation. And I found out that Janet had been being abused by her husband, and that he had left and taken the car and left them with no money.
Q. Did Janet tell you she was left with no money?
A. Yes.
Q. And did she tell you she didn't have a car?
A. Yes.
Q. Okay. Did any of the children tell you they didn't have money?
A. I don't really remember them saying that they did not have money. I don't remember those words coming out of their mouth, but I do know that references were made to them not having certain pieces of clothing that they needed, equipment. I think Gavin played baseball or something, and I know he broke his arm one time. His mom said he caught a ball with a torn up glove. You know, it wasn't adequate equipment, I guess, for the sport that he was playing.
So while they never said that they needed money, you know, I knew of the hardships that they were going through. 11159

Q. Was that because they would periodically tell you that?
A. Uh-huh. More so Janet than the kids, though.
Q. What are the kind of things that Janet would tell you about their hardship?
MR. SNEDDON: I'm going to object. Hearsay.
MR. MESEREAU: I think it's --
THE COURT: Overruled.
You may answer.
THE WITNESS: Can you repeat the question?
Q. BY MR. MESEREAU: Sure. What kinds of things would Janet say to you about the family's hardship?
A. Janet told me how much of a horrible, awful husband and father David Arvizo was, and from that, she told me about the abuse. She told me that he told the children he did not love them. She told me that money that had been raised from the benefit -- the fund-raiser at The Laugh Factory, or I'm not sure if it was The Laugh Factory or somewhere else. She just said "the fund-raiser"; that he had spent it all taking his family out to show them a good time, things of that nature.
Q. Did she ever tell you she had taken any of the money from any of these fund-raisers?
A. No.
Q. Did she ever tell you that there was an 11160

account set up for Gavin that she would take money from?
A. No. We never talked about that.
Q. Did she ever mention to you there was a bank account set up for Gavin?
A. No. Or if she did, I don't remember her saying that.
Q. Okay. Now, you say she told you that Gavin had a broken arm?
A. Yes.
Q. And she said it was from baseball?
A. Yes. He was playing -- he was playing in a game.
Q. Did she ever tell you he broke his arm because a security guard at J.C. Penney broke it?
A. No.
Q. Did Janet ever tell you about any incident at J.C. Penney?
A. No.
Q. Ever tell you she'd gotten any money from J.C. Penney?
MR. SNEDDON: Your Honor, I'm going to object as hearsay.
MR. MESEREAU: It's impeachment, Your Honor.
MR. SNEDDON: It's not impeachment.
THE COURT: The objection is sustained.
Is this a good time to break?
MR. MESEREAU: Oh. 11161

1 THE COURT: We'll take our morning break.
2 (Recess taken.)
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REPORTER'S CERTIFICATE

THE PEOPLE OF THE STATE)
OF CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

I, MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304, Official Court Reporter, do hereby certify:

That the foregoing pages 11110 through 11162 contain a true and correct transcript of the proceedings had in the within and above-entitled matter as by me taken down in shorthand writing at said proceedings on May 19, 2005, and thereafter reduced to typewriting by computer-aided transcription under my direction.

DATED: Santa Maria, California, May 19, 2005.

MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA BARBARA
SANTA MARIA BRANCH; COOK STREET DIVISION
DEPARTMENT SM-2 HON. RODNEY S. MELVILLE, JUDGE

THE PEOPLE OF THE STATE OF)
CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

THURSDAY, MAY 19, 2005

8:30 A.M.

(PAGES 11164 THROUGH 11320)

REPORTED MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304
BY: Official Court Reporter 11164

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I N D E X

Note: Mr. Sneddon is listed as “SN” on index.
Mr. Zonen is listed as “Z” on index. Mr. Auchincloss is listed as “A” on index.
Mr. Mesereau is listed as “M” on index. Ms. Yu is listed as “Y” on index.
Mr. Sanger is listed as “SA” on index.

DEFENDANT’S WITNESSES	DIRECT	CROSS	REDIRECT	RECROSS
PRYOR, Azja	11244-SN	11261-M		
NIMMER, Laurence	11271-SA	11302-SN		

1 E X H I B I T S
2 FOR IN DEFENDANT'S NO. DESCRIPTION I.D. EVID.
3
4 5089 DVD entitled "Neverland Ranch
5 2005" 11289
6 5090 Photo mailed to Azja from Gavin 11230
7 5091 Photo mailed to Chris
8 from Gavin 11230
9 5092 Photo mailed to Boo Boo from Gavin 11230
10 5093 Photo mailed to Azja
11 from Star 11230
12 5094 Photo mailed to Chris from Star 11230
13 5095 Letter to Azja from
14 Davellin 11242 11243
15 5096 DVD - Neverland alarm test 11275 11282
16
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28 11167

THE COURT: Go ahead.
Q. BY MR. MESEREAU: Miss Pryor, before the break, you said that you were told that Gavin had broken his arm at a baseball game, right?
A. Yes.
Q. Who told you that?
A. Janet did.
Q. Did Gavin ever tell you that?
A. No.
Q. Was Gavin there when Janet told that to you?
A. I don't know. It was over the phone.
Q. Okay. And did she tell you exactly how he had broken his arm in the baseball game?
A. She told me he was running to catch the ball, and his -- his glove was worn through. Something about a worn-out glove.
Q. Okay. And did she tell you in that conversation that the family needed money for baseball equipment?
A. No, she didn't. When she told me, I told her, "Janet, if you need anything, you can ask me." I said, "Anything for the kids." I said, "If Gavin needs a glove, then let me know."
Q. Did Janet tell you Gavin needed a glove?
A. No.
Q. Did she ever tell you he needed anything related to baseball?
A. No. 11168

Q. Okay. What about any equipment or uniforms or anything of that sort?
A. No.
Q. Okay. Did she tell you why she was telling you he had broken his arm in a baseball game?
MR. SNEDDON: Your Honor, I'm going to object. Calls for a conclusion. Speculation.
THE COURT: Overruled.
You may answer.
THE WITNESS: Can you repeat that?
Q. BY MR. MESEREAU: Yes.
Did Janet give you any indication why she was telling you that Gavin had broken his arm in a baseball game?
A. I would think she told me just because we would talk about the kids. And, you know, with a child breaking a bone, that's pretty serious.
Q. Did she ever tell you he had broken a bone anywhere else?
A. Not that I can remember, no.
Q. Did she ever tell you he had broken a bone in a parking lot?
A. I don't remember if she said Gavin or Star did, but one of them did break a bone, she told me, when they were younger.
Q. Okay. Did she ever mention any altercation with security guards anywhere?
A. No. 11169

Q. Did she ever tell you she had filed any lawsuit of any kind?
A. No.
Q. Now, you did give a Christmas gift, right?
A. Yes.
Q. And you indicated this was after Janet had discussed some financial problems they were having, right?
A. Yes.
Q. And approximately what year did you give a gift to them?
A. The gift of $600?
Q. Yes.
A. That was in December of 2001.
Q. Okay. Did you give $600 in cash or did you give a check?
A. It was a cashier's check.
Q. Who did you give it to?
A. Janet.
Q. Okay.
A. I mailed it to her.
Q. Okay. And did she ever thank you for it?
A. Yes.
Q. All right. Now, did you give Janet this check before or after you knew there were fund-raisers for Gavin's illness?
A. Well, I knew there had been a fund-raiser when I first met Gavin, so therefore I gave her the 11170

$600 after I knew about it. Now, if I gave it to her before or after she told me about them, I don't remember.
Q. Okay. Now, you knew that Chris Tucker had gone to the fund-raiser, right?
A. Yes.
Q. And did you learn whether or not he had given them any financial assistance?
A. Not to my knowledge.
Q. Okay. Do you recall whether or not Davellin ever asked you for a car?
A. If she asked me for a car?
Q. Yes.
A. Yes.
Q. When was that?
A. This was in February of 2003.
Q. Okay. And explain what she asked you.
A. She didn't ask me to give her the car out of the blue. There had been a discussion about them receiving a car of mine from Chris.
Q. And who did you have that discussion with?
A. Janet.
Q. What did Janet say about that?
A. She thanked me profusely for -- for giving them the car. I knew nothing about it until they actually told me. Chris had not even told me. They told me.
Q. So Janet thanked you for giving her a car? 11171

A. For giving her the car, yes.
Q. Had you given her a car?
A. I had not given it to her yet.
Q. Were you surprised when she thanked you for giving her a car that you never gave her?
A. Obviously I was a little surprised. However, I felt like -- I kind of knew it was coming, because Chris had spoken about it before, that he wanted to help them out. He knew that Janet was taking Gavin to his weekly doctor appointments on the bus.
Q. Is that what Janet told him?
A. Yes.
Q. So it's in approximately February of 2003 that she thanks you for the car?
A. Yes. She told me that Chris said he would give them the car. And she called me to thank me, and I guess I assumed to ask when it was going to be handed over to her.
Q. And what did you say to her?
A. The car was not in my name, so I told her it needed to be changed. She needed to wait till Chris got back in town to switch the registration and everything.
Q. Was it your intention to give them the car?
A. No, not necessarily.
Q. Did you ever give them a car?
A. No. 11172

Q. Did Janet ever ask you for a car on another occasion?
A. No.
Q. How many phone conversations did you have with Janet when she asked you for a car?
A. Too many to remember. I don't know.
Q. What do you mean by that?
A. A lot of times. If Janet wouldn't call me, Davellin would call me.
Q. Asking you for a car?
A. For the car.
Q. And did Davellin act as if they owned the car?
A. No, I think it was more so they just wanted to know when they were going to get it, to gain possession of the car.
Q. And during these many conversations, what would you tell them about the car?
A. It was out of my hands. There was nothing I could do about it.
Q. Is that what you said to them?
A. Uh-huh. I told them they had to wait on Chris.
Q. At some point, did they stop calling you and asking for a car?
A. Well, yes.
Q. Approximately what was that?
A. The last conversation I had with Davellin, 11173

1 which was in April of 2003, I believe.
2 Q. Okay.
3 A. That was the last time I talked to her.
4 Q. Was it your choice not to talk to her
5 anymore?
6 A. No, not at all.
7 Q. Why did you stop talking to her?
8 A. I have no idea.
9 Q. Did they stop calling you?
10 A. Yes.
11 Q. Did you stop calling them?
12 A. I didn't have a number to reach them.
13 Q. Okay. If you can guess, how many times do
14 you think Janet asked you for a car?
15 A. If it was my guess, I would say anywhere
16 from seven to ten times.
17 Q. And did this all happen in the year 2003?
18 A. Yes.
19 Q. If you can estimate, how many times did
20 Davellin ask you for a car?
21 A. I don't remember. I know Davellin would
22 leave me messages, because I wouldn't always answer
23 the phone. So there were numerous messages.
24 Q. Okay. And in those numerous messages, was
25 Davellin requesting the car?
26 A. Yes.
27 Q. And all this was in the year 2003?
28 A. This was all in February. 11174

Q. February of 2003?
A. Uh-huh.
Q. Okay. Now, did Janet tell you in February of 2003 that they had no car?
A. Yes.
Q. Did Davellin tell you in February of 2003 that they had no car?
A. Yes.
Q. All right. In any of these phone conversations, were Janet and Davellin on the phone together?
A. No, there was no kind of three-way or two different phones where they were. You know, I would maybe start on the phone with Davellin and she would hand the phone to her mom, or vice versa.
Q. Do you recall whether or not Gavin was ever on the phone when you were asked to give them a car?
A. I don't remember Gavin ever even mentioning the car to me.
Q. How about Star?
A. I don't remember Star either.
Q. Okay. Okay. Now, you saw the Arvizo children at Chris Tucker's home, correct?
A. Correct.
Q. And could you describe their behavior?
A. I don't like to call people's kids bad, but Gavin and Star really needed attention, I felt like.
Q. In what -- 11175

A. They really needed attention.
Q. What do you mean by that?
A. You know, they would do little things, very mischievous. One time I remember us sitting down in front of Chris's big-screen television and there was a drink on the floor. I don't remember what it was. But Gavin, I saw him look at the glass and I saw him just kind of do his foot and kick it over and then act like it was an accident, you know, just to get that reaction out of us. Like, "Gavin," you know, "what happened?"
You know, they would do little things like that.
Or, you know, like I said, roughhousing, just playing around. I mean, they were kids. You know, I think at the time they were maybe 11 or 12. I don't remember.
Q. Would you describe them as well behaved?
A. At times. But I think that they lacked discipline.
Q. And what do you mean by that?
A. I think that anytime I saw David Arvizo with his kids, I never saw him discipline them, even when they got out of hand. And I think -- because Gavin was sick, I think that he did not discipline them when I think -- I felt like they needed it at times.
Q. Now, at any time did Janet tell you that Star had a cyst in his brain? 11176

MR. SNEDDON: Your Honor, I'm going to object as hearsay.
MR. MESEREAU: Impeachment, Your Honor.
MR. SNEDDON: There's -- no.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did you ever learn whether or not Star had a cyst on his brain?
MR. SNEDDON: Object. Lack of foundation; immaterial; irrelevant.
THE COURT: Overruled.
You may answer.
THE WITNESS: Did I learn Star had a cyst?
Q. BY MR. MESEREAU: Yes.
A. Not that I can recall.
Q. Did Janet ever say anything like that?
MR. SNEDDON: I object. Hearsay.
THE COURT: Sustained.
MR. MESEREAU: Okay.
Q. Do you recall when the -- or what has become known as the Bashir documentary was aired?
A. I'm sorry, I didn't hear you.
Q. Did you ever hear of something called the Bashir documentary?
A. Yes.
Q. And when did you learn about that?
A. I learned about it when I watched it on television.
Q. And do you know approximately when that was? 11177

A. In early February.
Q. After the Bashir documentary aired, did you speak to any of the Arvizos?
A. Yes.
Q. Who did you speak to?
A. Davellin.
Q. Okay. Did she call you?
A. Yes.
Q. And did she talk about the documentary?
A. Yes, she did.
Q. What did she say?
MR. SNEDDON: Object. Hearsay.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did you ever talk to Janet about the Bashir documentary?
A. Yes.
Q. When was this?
A. After it aired. Maybe the same conversation when Davellin first called me.
Q. Now, who called you?
A. Davellin did.
Q. Okay. And did she discuss the Bashir documentary?
A. Yes, she did.
Q. Okay. And do you know where Davellin was living at the time?
A. No, I don't.
Q. Was she living at her grandmother's, to your 11178

knowledge?
MR. SNEDDON: Object. Leading.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Do you know where Janet and the boys were living?
A. At the time when they called me?
Q. Yes.
A. After the documentary?
Q. Yes.
A. No, I don't know.
Q. After the Bashir documentary aired, did Janet ever tell you they were spending a lot of time with Major Jay Jackson?
MR. SNEDDON: Object. Calls for hearsay.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Do you know whether or not, after the Bashir documentary aired, if the Arvizos were spending time with Major Jackson?
MR. SNEDDON: Object. Lack of foundation.
THE COURT: Sustained.
Q. BY MR. MESEREAU: You mentioned that you met Major Jackson on a bus, right?
A. Yes.
Q. And that was the bus --
MR. SNEDDON: Excuse me. I'm going to object as a misstatement of the testimony with regard to the rank and the last name.
THE COURT: Overruled. 11179

You may answer.
Q. BY MR. MESEREAU: Did you meet Major Jackson on a bus?
A. Yes.
Q. And that was to go to the birthday party at Neverland, right?
A. Yes.
Q. Did you ever see him again after that?
A. No.
Q. Did you ever speak to him on the phone?
A. No.
Q. Did you ever meet Janet Arvizo at an address where Mr. Jackson lived?
A. I don't know. It would be my guess that the apartment on St. Andrews that I met them at for an interview would be Jay's apartment, but no one told me that. Or if they did, I don't remember.
Q. Okay. So the only time you ever saw Jay was at the birthday party?
A. Correct.
Q. Okay. Now, did you talk to Janet about the Bashir documentary?
A. Yes, I did.
Q. What did she say to you?
MR. SNEDDON: Object. Hearsay.
MR. MESEREAU: It's impeachment, Your Honor.
THE COURT: I can't tell really. The question is too general. I'll sustain the 11180

1 objection.
2 MR. MESEREAU: Okay.
3 Q. Did Janet ever complain to you about the
4 Bashir documentary?
5 A. Yes.
6 MR. SNEDDON: Object. Hearsay.
7 THE COURT: You're offering this for
8 impeachment?
9 MR. MESEREAU: Yes, Your Honor. Yes.
10 THE COURT: All right. I'll overrule the
11 objection.
12 Q. BY MR. MESEREAU: You can answer.
13 A. Can you repeat that?
14 MR. MESEREAU: Sure. I'll withdraw the
15 question and repeat it.
16 Q. Did Janet Arvizo ever complain to you about
17 the Bashir documentary?
18 A. Yes, she did.
19 Q. Approximately when did she complain about
20 that documentary?
21 A. In the first conversation I had with her
22 after the documentary.
23 Q. Okay. Would that be in 2003?
24 A. Yes.
25 Q. And what did she say to you?
26 A. She said that there had been a documentary
27 aired showing Gavin and her children which she had
28 not given her permission for. She had not given 11181

permission for her children to be taped.
Q. And did she say she was going to do anything about it?
A. No, not that I can remember.
Q. Did Janet ever tell you that David was on drugs?
A. Yes.
Q. When was this?
A. After Davellin's graduation.
Q. Did she ever tell you that David was spending all the money they raised on drugs?
A. She did tell me that he was spending -- I wouldn't say "all." She didn't use the word "all," but she said that he was spending some of the money on drugs and to take his family out and show them a good time.
Q. Did she ever tell you that she had spent any of that money?
A. No.
Q. Okay. Let's go to 2003, after the Bashir documentary airs, okay?
A. Uh-huh.
Q. You have this conversation with Janet about the documentary, right? And when do you talk to her again after she complains about the documentary?
A. There's no way for me to say. There were many conversations after that initial conversation.
Q. Well, did you talk to her on a regular basis 11182

in the year 2003?
A. In February I did.
Q. Okay. And is there any particular reason why you were talking to her so often in February of 2003?
A. I think Janet was in over her head, and I don't think she really knew what to do. So I believe that she knew I was always there, at least to listen, you know. And if I could help in any kind of way, she knew I was there. She knew I was good for that.
Q. Did she ever tell you she was looking for an attorney?
A. No. I don't remember.
Q. Did she ever tell you she was going to do anything about the Bashir documentary?
A. No. Again, like I said, I believe she was in over her head, and I don't think she really knew what to do at that moment. I believe I suggested to her that she should get an attorney.
Q. Okay. Did she ever tell you she got one?
A. No, she never told me she did.
Q. Did she ever tell you she had joined in any complaint in England against the Bashir documentary?
A. No.
Q. Did Janet ever mention a trip to Brazil to you?
A. Yes. 11183

Q. What did she say?
A. She said that they --
MR. SNEDDON: I'll object as hearsay.
MR. MESEREAU: Impeachment, Your Honor.
THE COURT: The objection's overruled.
THE WITNESS: She said that they were going to Brazil for Carnivale.
Q. BY MR. MESEREAU: And what is Carnivale, to your knowledge?
A. Beautiful costumes, beads. I guess it's kind of like Mardi Gras.
Q. Kind of a holiday celebration, right?
A. A holiday celebration.
Q. Did she ever ask you to go with her?
A. Yes, she did.
Q. And when did Janet ask you to go to Brazil with her to attend Carnivale?
A. During a phone conversation. It was sometime in February.
Q. Okay. And did you say anything in response to her invitation?
A. I said, "Sure, I'd love to go."
Q. And did you ever talk to her about Brazil again?
A. Yeah, we talked a couple of times about Brazil.
Q. And did you talk about your going with her?
A. I'm sure -- I'm sure I did. I told her I 11184

couldn’t go for too long. I was in school at the time, so I would only be able to be there for, like, three or four days.
Q. Did she say that was okay?
A. Yes.
Q. Okay. Did she seem excited about you going to Brazil with her?
A. I don’t know. I don’t know if she was excited. Janet’s always excited. She’s excited -- either she’s excited or she’s sad. So it was kind of hard to gauge whether she was excited about me going or this is just during one of the times that she was really happy.
Q. But you had a number of discussions about you and she going to Brazil?
A. No more than two, maybe three. On occasion.
Q. And were all these conversations on the phone?
A. Yes.
Q. Did she call you or did you call her, if you remember?
A. I would guess she called me during this time. I didn’t really know where they were staying, so my guess is that she called me.
Q. Okay. And do you think this is February of 2003?
A. I know it was February of 2003.
Q. And did you have any discussions with her 11185

about going to Brazil in March of 2003, if you know?
A. I don't remember.
Q. Okay. Did she tell you what she wanted to
do in Brazil other than attend Carnivale?
A. No, she didn't say.
Q. Did she seem excited about going to
Carnivale?
MR. SNEDDON: Object. Asked and answered.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did Janet tell you when
Carnivale is in Brazil?
A. No.
Q. But there's no question she mentioned
Carnivale, right?
A. Yes.
Q. Did she tell you whether or not her family
were going to be at Carnivale in Brazil?
A. Yes.
Q. And what did she say about that?
A. Well, she said that Michael and I guess his
family and their family, they were all going to go
to Carnivale. That's all she said.
Q. Do you mean Michael Jackson?
A. Yes.
Q. So she said Michael Jackson and his family
are going to Carnivale with her?
A. Yes.
Q. And this is in February of 2003? 11186

A. This is in February.
Q. Okay. Did she ever tell you that she had learned that Michael Jackson was not going to Brazil?
A. Yes, I believe she did.
Q. Do you know approximately when that was?
A. It would have been in early March.
Q. Okay. Was she upset about that?
A. No.
Q. Okay. Did she still, as far as you know, plan to go to Brazil?
A. By this time I don't think she wanted to go.
Q. Okay. Was that -- did she tell you she didn't want to go because she found out Michael wasn't going?
MR. SNEDDON: Object. That's a leading question, Your Honor.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did Janet tell you why she no longer wanted to go to Brazil?
A. Because there were a lot of unknowns. Her children had been out of school for one month. She didn't know when they were going back to school. She didn't know exactly where she was staying in Brazil.
Q. Did she ever tell you she had cancelled the trip?
A. No. I don't even remember when we stopped 11187

1 talking about Brazil.
2 Q. Okay.
3 A. It just kind of went away. We didn't talk
4 about it anymore.
5 Q. Did you learn at some point she never went
6 to Brazil?
7 A. No.
8 Q. Okay. Did she tell you that tickets had
9 never been purchased to go to Brazil?
10 A. Had never been purchased?
11 Q. Yes.
12 A. No, she didn't tell me that.
13 Q. Okay. Now, do you think the last time you
14 talked to Janet was in March of 2003?
15 A. Yes.
16 Q. And where were you when you talked to her in
17 March of 2003?
18 A. At my house.
19 Q. Did Janet ever tell you that Michael Jackson
20 had falsely imprisoned her?
21 A. No.
22 Q. Did Janet ever tell you that Michael Jackson
23 had kept her family against their will?
24 A. No.
25 Q. Did Janet ever tell you that Michael Jackson
26 had extorted her family?
27 A. No.
28 Q. Did Janet ever tell you that Michael Jackson 11188

was in a conspiracy to commit crimes against her family?
A. Absolutely not.
Q. And you were talking to her on a regular basis in February 2003, right?
A. Yes.
Q. And would that be daily?
A. I don't remember if it was daily. And again, if I got calls, sometimes they were from Davellin and sometimes they were from Janet.
Q. Okay. Did Davellin ever tell you that the family was being held against their will?
A. No.
MR. SNEDDON: Object as hearsay, Your Honor.
THE COURT: Overruled. The answer was "No."
Next question.
Q. BY MR. MESEREAU: Did Davellin ever tell you that the family was being falsely imprisoned by Michael Jackson?
A. No.
Q. Did Davellin ever tell you that her family were the victims of extortion by Michael Jackson?
A. No.
Q. Did Davellin ever tell you that there was some conspiracy to injure her family?
A. No.
Q. Did you have any discussions with Gavin during February of 2003? 11189

A. Yes.
Q. And would he call you or would you call him?
A. If his sister would call me, he would get on the phone. Normally if Davellin would call, they would all get on the phone.
Q. Okay.
A. One by one.
Q. And that would include Janet?
A. Sometimes -- no, not all the time. A lot of times during this period Janet had a headache, she would say.
Q. Okay.
A. They would tell me their mom was lying down.
Q. Okay. Now, when Janet invited you to go to Carnivale in Brazil, were the kids around, to your knowledge?
A. I don't know.
Q. Do you know if the children were on the phone at the same time?
A. Not the same time, meaning there was more than one phone, no.
Q. Okay. But you think you had two or three conversations with her about Brazil?
A. Yes.
Q. Did she ever tell you she was being forced to go to Brazil?
A. No.
Q. Did Janet say anything about whether or not 11190

Jay Jackson was going to go to Brazil with her?
A. No, she didn't mention it to me.
Q. Okay. And did she express disappointment that Michael Jackson wasn't going to go to Brazil with her?
MR. SNEDDON: Your Honor, I object. Asked and answered.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did Janet Arvizo ever complain to you about Michael Jackson in February of 2003?
A. No.
Q. Did Janet Arvizo ever complain to you about Michael Jackson in March of 2003?
A. No.
Q. Now, there was a point in time where you attended an interview between the Arvizo family and some social workers in Los Angeles, right?
A. Correct.
Q. And did you attend that interview?
A. Yes, I did.
Q. Why did you do that?
A. Janet asked me to.
Q. Do you know approximately when she asked you to?
A. I would say approximately about a week before the interview.
Q. Okay. Do you remember whether she called 11191

you or you called her?
A. Again, I'm sure she called me during that time. They were from place to place, so I had no way of reaching them.
Q. Okay. And was she calling you often during this particular part of February?
A. Yes.
Q. Would it be correct to say she was calling you on almost a daily basis?
A. I don't remember.
Q. Could it have been a couple of times a week?
A. Yeah. Several times a week.
Q. Okay. Is there any particular time of day when Janet would call you?
A. No. All hours of the day.
Q. Okay. And did you consider Janet to be your friend at the time?
A. Yeah, she was a friend.
Q. You seem to hesitate. Is there a reason?
A. I mean, she's not someone who I ever hung out with on a one-on-one basis. If the children were around. She's not one of my girlfriends who I would call up and talk about a new CD or a new movie or -- you know, most of the conversations we had, about 95 percent I was listening to her or it would be about her children.
Q. Now, when Janet called you in February of 2003, did she ever tell you she was being forced to

go to any location?
A. No.
Q. Did Janet ever tell you she was being forced to get into anyone's car and go anywhere?
A. No.
Q. Did Janet ever tell you in February of 2003 that her children were being forced to travel to various locations --
A. No.
Q. -- by anybody?
A. No.
Q. Did Janet ever tell you that she was forced to do any interview about Michael Jackson?
A. Never.
Q. Did Janet ever tell you that her family was forced to rehearse lines that they were then to articulate in an interview about Michael Jackson?
A. No.
Q. Did Janet ever tell you that she or her family were given scripts to memorize --
A. No.
Q. -- for an interview?
A. No.
Q. Did she ever complain about having to do any interview for a rebuttal documentary?
A. No. As a matter of fact, she was happy to do the rebuttal video.
Q. Please explain what you mean. 11193

A. She was very upset about the uproar that had been caused by this documentary. Not only that her children had been taped without permission, but that the relationship, the friendship that her son had with Michael was taken completely out of context and made -- and made into something that was bad. She was upset about that.
Q. And she told you that?
A. She told me that.
Q. Okay. Now, when did she tell you she was happy to do an interview for the rebuttal documentary?
A. Her exact words were not, “I’m happy to do this,” but she was very excited about doing it. She was very anxious to do it, to tell the world that this friendship was nothing more than what they saw, a beautiful friendship, and that’s it.
Q. She used those words to you?
A. She’s used the word “beautiful friendship” before in regards to Michael, yes. I don’t know in this specific conversation if she used it.
Q. Is there anything else she told you about Michael and her family, that you remember?
A. Janet told me the same thing about Michael as she said about Chris and I. She praised Chris and I to the point where it made me uncomfortable, saying that we were sent -- we were angels and how we just have done so much for her family. 11194

1 And while I believe that we did provide the
2 children with happiness and maybe love that they
3 were not receiving from the other parent, David, you
4 know, me, as a woman, I feel uncomfortable because
5 I'm only a human being, you know.
6 And I would tell her all the time, "Janet,
7 stop. Stop. I'm only doing what anyone else would
8 do with a heart," you know.
9 She praised Chris. She praised myself. She
10 praised Michael.
11 Q. When she praised Michael, what did she say?
12 A. I don't remember exact words, but she -- it
13 was something to the effect of, "What a great man he
14 is," "He's an angel," "His love is great."
15 Q. Did she ever refer to you and Chris Tucker
16 as part of her family?
17 A. All the time.
18 Q. What would she say about that?
19 A. "You are our family." She said it over and
20 over and over. The children said it. I said it. I
21 would call them my Mexican brothers and sisters,
22 because they were like my little brothers and
23 sisters.
24 Q. Would Gavin say you were part of his family?
25 A. Yes.
26 Q. Would Star?
27 A. They called me --
28 Q. I'm sorry. 11195

A. They called me “big sister.”
Q. Okay. Did Star say you were part of the Arvizo family?
A. Yes.
Q. Would Davellin say you were part of the Arvizo family?
A. Yes.
Q. Do you recall whether or not Janet said Michael Jackson was part of the Arvizo family?
A. I’m sure over the three-year relationship we’ve had she’s mentioned that at some point in time. I don’t remember any specific conversation, but I’m sure she has.
Q. Now, during February of 2003, do you recall whether or not Janet ever referred to Michael Jackson as a father figure to the Arvizo family?
A. Yes.
Q. Now, around the same time, did she refer to Chris Tucker as a father figure to the Arvizo family?
A. No.
Q. Did she ever refer to Chris as a father figure, to your knowledge?
A. No.
MR. SNEDDON: It was asked and answered, Your Honor
THE COURT: Sustained.
Q. BY MR. MESEREAU: Now, in 2003, was it your 11196

understanding that Gavin was still ill?
A. No.
Q. Did you learn at some point that he had recovered from his illness?
A. Yes, I did.
Q. And what did you learn?
A. After undergoing all of his chemo, I believe his dad told me his cancer had gone into remission. David was still in the picture at this time.
Q. Okay. Did Janet ever tell you words to the effect that Michael Jackson had helped her son overcome his illness?
A. She mentioned that after the Bashir documentary.
Q. And what did she say about that?
A. Exactly what you just said; that Michael had helped cure her son, and this is what a beautiful friendship they have.
Q. Now, do you recall -- excuse me, let me rephrase that.
Did you learn at some point that Janet and the children were going to be interviewed for a rebuttal documentary to the Bashir program?
A. That's -- excuse me, yes.
Q. And you just said that she praised Michael for helping her son overcome his illness, right?
A. Uh-huh.
Q. Now, to your knowledge, was that praise that 11197

she gave to Michael Jackson before the family was
interviewed for a rebuttal program?
A. Yes.
Q. And did she say that many times before that
interview?
A. I don't know about "many times," but she
said it.
Q. More than once?
A. One time is clear in my head. Once.
Q. Okay.
A. During the initial conversation that we had
after the documentary aired.
Q. Okay. Do you recall when Janet and the
children were interviewed for the rebuttal
documentary?
A. Yes.
Q. And what do you remember about that?
A. I remember it was the night before the
interview with the social workers.
Q. Now, Janet asked you to come to the
interview with the social workers, right?
A. Yes.
Q. Did she tell you why?
A. Why --
Q. She wanted you to be there.
A. For support. Janet has asked me -- well,
first of all, I -- Janet had been interviewed, or
the children had been interviewed by social workers 11198

1 before, so Janet was very scared that her children
2 were going to be taken away from her. So I believe
3 that's why she asked me to come, for support.
4 Q. And did you agree to come?
5 A. Yes.
6 Q. Okay. Did you go to that interview?
7 A. Yes, I did.
8 Q. Was your child with you?
9 A. Yes, he was.
10 Q. Okay. Did you drive to Major Jackson's home
11 for the interview?
12 A. I don't know if it was Major Jackson's home,
13 but I drove to an apartment.
14 Q. And what street was that on?
15 A. St. Andrews.
16 Q. That's in Los Angeles, right?
17 A. Yes. Near Western.
18 Q. Okay. And do you know about what time of
19 day you and your child drove there?
20 A. It was in the morning. I think about nine
21 o'clock. 9 a.m. Maybe earlier.
22 Q. Did you park on the street?
23 A. Yes. And I got a parking ticket.
24 Q. Okay. And you then went into the apartment,
25 right?
26 A. Yes.
27 Q. Did you have to go up the stairs to do that?
28 A. I took an elevator up. 11199

Q. Okay. And when you first got into the apartment, what did you see?
A. First of all, I rode up in the elevator with the three social workers. I didn't know they were the social workers until I got in the apartment, till we went to the same place.
When I got in, I saw the -- I saw Janet and three children.
Q. And so you walked in at the same time the social workers did, right?
A. Yes.
Q. And what's the next thing you remember seeing?
A. Oh, and there was another guy there. I don't know his name.
The first thing that I saw, Janet was talking to the social workers.
Q. Okay. Did you hear what she said?
A. I don't remember.
Q. And you met the social workers, obviously.
A. Yes.
Q. And did you talk to the social workers at all?
A. Briefly, yes.
Q. And what did you say to them, if you remember?
A. We were introduced.
Q. By who? I'm sorry. 11200

MR. SNEDDON: Go ahead.
THE WITNESS: We were introduced, and they were commenting about how cute my son is. Because he really is cute.
MR. SNEDDON: That's why I let you say it.
Q. BY MR. MESEREAU: And do you remember anybody showing a video?
A. Yes.
Q. What do you remember about that?
A. I remember -- I don't know who put it in, if the kids put it in or Janet, but the video was of Michael Jackson and Gavin when Gavin was very ill. He was undergoing chemo at the time. You could tell he was very weak, very pale, little to no hair. At times I don't think he was walking. I think Michael was maybe pushing him around in a wheelchair. And there was a part of them where Gavin kind of just plops on a blanket. You could tell he was just so weak he can't really just sit down. He kind of just falls. His knees buckle. And they're by a lake. And that's it.
Q. And you watched that with the social workers and Janet and the Arvizo children?
A. Yes.
Q. Okay. Did it -- do you know whose idea it was to watch that video?
A. I believe -- yeah, I think it was Janet's.
Q. Okay. After the -- after you -- excuse me. 11201

Let me rephrase the question.
After you all watched the video, what
happened next?
A. After the video, I believe that's when the
interview started and I was asked to leave. My son
and I were asked to leave.
Q. And who asked you to leave?
A. One of the social workers.
Q. And did you leave?
A. I did, but Janet put up a fight. She wanted
me to stay.
Q. Okay. When you say she put up a fight, now,
what do you mean?
A. She said, "Absolutely not. Azja is our
family and I want her here."
Q. And did you see Janet have a discussion like
that for a while?
A. For about a minute.
Q. And what was the result of that discussion?
A. The social workers told her she understood
that, but, you know, I guess by law, that no one
else outside of the family could be present.
Q. Okay. And then what did you do?
A. I told Janet it was okay, and I would go
wait outside. And as soon as she was done, "Come
get me."
Q. Did you go wait outside?
A. Yes. 11202

Q. How long do you think you waited outside?
A. Well, I went and got something to eat. And I came back, and it was still another hour, hour and a half, so it was altogether maybe two hours.
Q. And then did you go back in?
A. Yes.
Q. And what did you see when you went back in?
A. A completely different scene from the beginning. Everyone was hugging each other. And it was like the tension had left the room. You could tell that everyone was happy.
Q. And when you say “everyone,” who are you referring to?
A. The kids and Janet, and the social workers.
Q. Okay.
A. It was very tense at first when the social workers first arrived. It was very tense. And by the end of the interview, it was a completely different scene.
Q. And at the end of the interview, what did you do?
A. I stayed around for a while.
Q. Okay. Did you stay with Janet and the children?
A. Uh-huh.
Q. All right. Now, you made a comment about Janet having a prior experience with the Department of Children & Family Services, right? 11203

A. Yes.
Q. And what were you referring to?
MR. SNEDDON: Your Honor, I'm going to object. Lack of foundation and calls for hearsay. No personal --
THE COURT: Sustained.
Q. BY MR. MESEREAU: Were you ever with Janet before this particular time when she had an experience with the Department of Children & Family Services?
A. No, I was not with Janet. I was with the children.
Q. And when was this?
A. It's unclear to me if it was in December of 2001 or early 2002. It was somewhere around that time, though.
Q. And you say you were with the children?
A. Yes, I went to visit them at the apartment.
Q. Okay. Which apartment now?
A. The one near downtown.
Q. Okay. Was that on Soto Street?
A. I believe so.
Q. Was that in East Los Angeles?
A. Yeah. I think East L.A.
Q. And why were you at the apartment that day?
A. I went to visit, to check on them. This was during a time that Janet and I were talking a lot on the phone, and she had told me about the abuse from 11204

her husband, and I was worried about them. And I'm
a very spiritual person, as well as Janet is, so I
went over to pray with her.
Q. Did you do that?
A. She wasn't there.
Q. Were the children there?
A. Yes.
Q. Were they alone?
A. They were alone. And they told me that
the --
MR. SNEDDON: Your Honor, I'm going to
object. It's nonresponsive and it's hearsay.
THE COURT: Sustained. I'll strike after
she said, "They were alone."
Q. BY MR. MESEREAU: Did you stay at the home
that day?
A. I stayed for a couple of hours.
Q. Okay. Did you ever see Janet that day?
A. No.
Q. Why did you go to the home that day?
A. For support.
MR. SNEDDON: That's asked and answered.
THE COURT: Overruled.
You may answer.
Q. BY MR. MESEREAU: For support, did you say?
A. For support and to pray with her.
Q. And you mentioned that this had some
relationship with the Department of Children & 11205

Family Services?
A. Yes. Prior to me getting there, the children told me that a social worker or two, I don't know, had come to their apartment.
Q. On that day?
A. On that day.
Q. And was the mother not home that day?
A. She was not home, and she had given the children instructions not to answer the door, but Star had let them in.
Q. Okay. And you never saw Janet that day at all?
A. Nope.
MR. SNEDDON: Your Honor, I'm going to object as asked and answered.
THE COURT: Overruled. Next question.
Q. BY MR. MESEREAU: Okay. Now, to your knowledge, was Chris Tucker visiting the Arvizo family at their home?
A. No.
Q. Do you know if he ever has done that?
A. Not to my knowledge, no.
Q. Okay. The day that you attended the interview with three social workers at St. Andrews Place, did you speak to Janet or the children before the interview?
A. Meaning that day did I speak to them?
Q. Yes. 11206

A. No.
Q. Do you know if you spoke to Janet or the children the day before that interview?
A. Yes, I spoke to them the night before.
Q. Okay.
A. When they were doing the rebuttal video.
Q. And did you talk to Janet?
A. Yes. She called me.
Q. Do you know where she called you from?
A. From wherever they were doing the video.
Q. And did she ever tell you she didn't want to do the video?
A. No.
Q. Did she tell you she wanted to do it?
MR. SNEDDON: Your Honor, object. Asked and answered.
MR. MESEREAU: Not this particular time.
THE COURT: Overruled. Connect the time.
MR. MESEREAU: Sure.
Q. We're talking about the night that Janet and the children did the rebuttal interview, okay?
A. Uh-huh.
Q. This is the night before your meeting with the Department of Children & Family Services, all right?
A. Yes.
Q. You say Janet called you?
A. Yes. 11207

Q. And did Janet ever complain about anything in that call?
A. No. She was -- she seemed happy. Whoever's house they were at, she put them on the phone and introduced us.
MR. SNEDDON: Your Honor, I'm going to object to anything beyond "No." Move to strike.
THE COURT: Sustained. Stricken.
Q. BY MR. MESEREAU: In that phone call, did Janet put anyone else on the phone?
A. Yes.
Q. Do you know who it was?
A. I'm trying to think of the name. It was an interesting name. I don't remember. It was like -- I want to say like an Arabic name or something. I don't know.
Q. Did you talk to this person?
A. Yes.
Q. How long did you talk to Janet in that call, if you remember?
A. I don't remember. It wasn't a long conversation, though.
Q. But she called you and seemed happy?
A. Uh-huh.
Q. Did she ever ask you to call the police because they were being held against their will?
A. No.
Q. Did Janet ever tell you they were being 11208

1 falsely imprisoned; “Please help”?
2 A. No.
3 Q. Did she sound like she was in any kind of
4 trouble in that call?
5 A. No.
6 Q. Did you talk about the social workers’
7 interview the next day?
8 A. I believe that’s when she gave me the
9 address of where it was going to take place.
10 Q. And did you agree on a time that you would
11 be at the St. Andrews address for the next day?
12 A. Yes, she told me what time the interview
13 started.
14 Q. Okay. Okay. Now, you said that when the
15 interview was completed, you went back into the
16 apartment, and you hung around for a while?
17 A. Yes.
18 Q. Did the children seem happy?
19 A. Not happy. Just -- you know, just like
20 their normal selves. I don’t know. They might have
21 been even watching T.V.
22 Q. Did Janet seem happy?
23 A. Yes.
24 Q. Did you talk to Janet?
25 A. Not -- not much.
26 Q. At some point, did you leave that apartment
27 on St. Andrews Place after the interview with the
28 social workers? 11209

A. Yes.
Q. And where did you go?
A. I went to Neverland.
Q. Why did you go to Neverland?
A. The children asked me -- the children and their mother asked me to take them.
Q. And you agreed to do that?
A. Yes.
Q. And did you drive the three children to Neverland?
A. Yes. And my son.
Q. Okay. Now, did Janet ask you to take them to Neverland after the interview?
A. Yes.
Q. Did she ask you to take them to Neverland while she was in the apartment on St. Andrews Place?
A. Yes.
Q. Did she tell you why she wanted you to take the children to Neverland?
A. I assumed that's where they were staying.
Q. At this point, had Janet ever told you that she was forced to escape imprisonment at Neverland?
A. No.
Q. At this point in time, had Janet ever told you she ever escaped from Neverland?
A. No.
Q. Did Janet tell you how she was going to get to Neverland on that day? 11210

MR. SNEDDON: Object. Calls for speculation, conclusion.
THE COURT: Overruled.
You may answer.
THE WITNESS: Can you repeat that?
Q. BY MR. MESEREAU: Sure.
You agreed to take the Arvizo children and your son to Neverland, right?
A. Correct.
Q. This is after the interview with the social workers?
A. Yes.
Q. Did you have an understanding where Janet was going to be?
A. Yes. A young man came to the house, and Janet told me that they were going to retrieve some birth certificates to get their passports.
Q. Was that for the Brazil trip?
A. I assumed it was.
Q. Did she ever complain to you about the Brazil trip?
MR. SNEDDON: Your Honor, I'm going to object as asked and answered.
THE COURT: Sustained.
MR. SNEDDON: Vague as to time.
THE COURT: Sustained.
Q. BY MR. MESEREAU: After the interview with the three social workers -- 11211

A. Yes.
Q. -- when you were in the apartment on St. Andrews Place, did Janet ever complain about the Brazil trip?
A. Yes.
Q. What did she say?
A. This was in a conversation about two or three weeks later --
Q. I'm talking about this particular day now.
A. Oh. No. No, no, not that day.
Q. Did she say anything negative about the Brazil trip on that day?
A. No. She seemed eager to go to get the birth certificates to take care of the passport situation. And she told me she'd come to Neverland after that.
Q. Okay. Now, you drove to Neverland after that?
A. Uh-huh.
Q. Took the children to Neverland?
A. Uh-huh.
Q. And about what time do you think you arrived at Neverland?
A. About three o'clock.
Q. And what did you do when you arrived at Neverland around three o'clock?
A. What do you do when you go to Neverland? You do everything. I mean, I probably got on the bumper cars. I don't know. I turn into, like, a 11212

child. I turn into a child when I go to Neverland. I maybe got on the Ferris wheel. I don't know. I was all over the place.
Q. On that particular day?
A. Yes.
Q. So you were -- so you were essentially playing with the children at Neverland, right?
A. Yes.
Q. At some point, did you see Janet at Neverland that day?
A. No.
Q. Okay. When did you next see Janet Arvizo?
A. I never saw her again.
Q. Did you ever talk to her again?
A. Yes, I did. On the phone.
Q. When was that?
A. The only time I remember -- the only time that's clear in my head is a phone conversation we had two to three weeks after this interview with the social workers.
Q. Okay. We'll get to that. Did you leave the Arvizo children at Neverland?
A. Yes.
Q. Okay. And where did you leave them, if you remember?
A. What do you mean where did I leave them?
Q. Did you leave them in the main house? Did 11213

you leave them in the guest units? What went on?
A. I believe we were in the main house.
Q. Okay. Did you talk to Janet while you were at Neverland?
A. No.
Q. What time do you think you left that day?
A. I spent the night that day, and that was a Thursday. I did not leave until about ten or eleven o'clock Friday night.
Q. Okay. So Thursday night you stayed at Neverland, right?
A. I stayed overnight, yes.
Q. Did you see Michael Jackson there?
A. No.
Q. Did you see Michael Jackson the next day?
A. No.
Q. Do you know where the Arvizo children stayed that night?
A. No.
Q. Where did you stay?
A. In a guest unit.
Q. Okay. Did someone bring you to the guest unit at Neverland?
A. I think I walked over there.
Q. Okay. And the next day you got up in the morning?
A. Yes.
Q. And what did you do? 11214

A. Ate breakfast.
Q. Okay. Was that in the main house?
A. Yes.
Q. Did you just walk into the main house?
A. I don't remember. I can't remember someone letting me in. I think the door is locked or something. I think someone let me in.
Q. And did you go to the kitchen area?
A. Yes.
Q. Did you sit at the counter?
A. Yes.
Q. And were there some cooks on the other side of the counter?
A. Yes.
Q. And you just ordered breakfast and had breakfast right there, right?
A. Yes.
Q. And your son was with you?
A. Yes.
Q. What did you do after breakfast?
A. I don't remember.
Q. Okay.
A. Oh, I do remember. We fed -- we fed elephants --
Q. Okay.
A. -- and the birds and things like that.
Q. Were the Arvizo children with you?
A. Yes, they were. 11215

Q. Did they meet you in the main house?
A. I believe they called me. And they were the ones to tell me, kind of, “Hurry and get up and come over here.”
Q. Do you think you met them at the main house?
A. Yes.
Q. Did they have breakfast with you?
A. Yes, they did.
Q. Okay. And that’s -- after breakfast, you all fed the elephants?
A. Uh-huh.
Q. Okay. How long were you at Neverland that day?
A. Until I left, which was about 10:00 or 11:00 that night.
Q. Okay. And did you ever see Janet that day?
A. No.
Q. Okay. Were you with the Arvizo children during the entire day?
A. Yes.
Q. Were you with them that evening before you left?
A. Yes.
Q. Okay. Did you have lunch and dinner with them?
A. I believe so, yes.
Q. And did you ever see Michael Jackson there?
A. No. He wasn’t there. 11216

Q. Okay. How did you find that out?
A. There were other children there. There were other guests there who said that he wasn't there.
Q. Did you know what the other guests' names were?
A. Marie Nicole, Baby Rubba, and I don't remember the older brother's name. And Marlon Brando's son and his three kids.
Q. Okay. Now, if you know, where were Marlon Brando's son and his three kids staying?
A. I don't know.
Q. Do you know where the other children were staying?
A. I don't know.
Q. Was their name Cascio, if you know?
A. I don't know.
Q. Okay. When you went around Neverland, were you with the other children as well?
A. Yes.
Q. So you were with Marie Nicole?
A. Uh-huh.
Q. And Baby Rubba?
A. Uh-huh.
Q. And the third person?
A. No, the older one, who was probably about 15 or 16, I don't know, maybe even older, he was kind of just doing his own thing.
Q. Okay. 11217

A. He wasn't with us at that time.
Q. Were the Brando children with you?
A. No. They were on the quads.
Q. Okay. They were on the quads driving around?
A. Uh-huh.
Q. Okay. So you leave about eleven o'clock at night, right?
A. Uh-huh.
Q. You went home?
A. Yes.
Q. Did Janet ever complain to you about the way the media was treating her?
A. I don't remember.
Q. Did she ever say words to the effect that her family was being hassled by the media?
MR. SNEDDON: Your Honor, I'm going to object as leading and suggestive.
THE COURT: Sustained.
Q. BY MR. MESEREAU: After the Bashir documentary aired, did you ever discuss the media with Janet?
MR. SNEDDON: Your Honor, I'm going to object. It's hearsay and it's asked and answered on the prior question.
MR. MESEREAU: I don't think so.
MR. SNEDDON: The word was "ever."
THE COURT: It's a time difference. 11218

Go ahead. You may answer. If you'd like it
read back, we can do that.
THE WITNESS: Please.
(Record read.)
THE WITNESS: Yes.
Q. BY MR. MESEREAU: And did you say anything
to Janet about the media?
A. Not that I can remember.
Q. Did she say anything to you about the media?
A. She did. But I don't remember what she
said.
Q. Okay. Did Janet ever tell you anything to
the effect that the media was following her?
MR. SNEDDON: Your Honor, I'm going to
object as leading.
THE COURT: Sustained.
MR. SNEDDON: Suggestive.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Okay. Did Janet ever say
anything to you about getting a body wax?
A. No.
Q. Did she say anything to you about Michael
Jackson paying for her children's dental work?
A. No.
May I go back to one of those questions to
follow up?
Janet never mentioned anything that I can
remember about the media following her, but Davellin 11219

1 did.
2 Q. And what did Davellin say?
3 A. Davellin --
4 MR. SNEDDON: Excuse me. Object as hearsay.
5 THE COURT: Sustained.
6 Q. BY MR. MESEREAU: How many times have you
7 discussed the media with Davellin?
8 A. I don't remember how many times.
9 Q. Was it more than once?
10 A. Yes.
11 Q. Okay. Was this during your phone
12 conversations with Davellin?
13 A. During the initial conversation with
14 Davellin.
15 Q. Was this about the same time that Davellin
16 was asking for a car?
17 A. No, this was before.
18 Q. Okay. I think you said this, but I don't
19 remember. I apologize. Do you remember when the
20 last conversation you had with Davellin was when she
21 asked for a car?
22 A. I don't remember.
23 Q. Was -- it was in 2003, right?
24 A. It was in 2003, yes.
25 Q. Okay. Okay. So you -- you leave Neverland
26 at about eleven o'clock, right?
27 A. 10:00 or 11:00.
28 Q. The Arvizo children remain at Neverland, 11220

right?
A. Yes.
Q. And to your knowledge, Michael Jackson is not at Neverland, right?
A. Right.
Q. When do you next talk to any member of the Arvizo family, if you recall?
A. The next day or so. Maybe Saturday or Sunday.
Q. Who did you talk to?
A. Davellin.
Q. Did Davellin call you?
A. Yes.
Q. Do you know where Davellin was when she called you?
A. At Neverland.
Q. How long did you talk to Davellin on that occasion?
A. I don't remember.
Q. Okay. When did you next talk to Janet?
A. I can't remember.
Q. Did Janet ever talk to you about some German people?
A. Yes.
MR. SNEDDON: I'm going to object. Vague as to time.
MR. MESEREAU: I'll ask when.
THE COURT: All right. 11221

Q. BY MR. MESEREAU: When did Janet first talk to you about some German people?
A. I don't remember the first conversation when she first talked to me about them.
Q. Was it in the year 2003?
A. Yes.
Q. And did she call you the first time she mentioned some German people?
A. I'm sure she did.
Q. Okay. And do you remember what she said about them?
A. She didn't like them.
Q. Did she tell you why?
A. They were rude. They said mean things to her. She didn't elaborate what mean things they said, but she just did not care for them at all. And it was obvious that they didn't care for her.
Q. Did she ever complain that these German people were keeping her away from Michael Jackson?
A. Yes.
Q. What did she say?
A. It was in an answer following a question that I asked her. I asked her -- with all the mean things they were saying, I said, "Does Michael know anything about this? And she said, "No, they won't let us around him, because they know that the children tug at his heart strings."
Q. Tug at whose heart strings? 11222

A. Michael's.
Q. Okay. Now, was this conversation about the German people after the interview with the three social workers?
A. Yes, this conversation in particular I'm talking about was two to three weeks after the social workers' interview.
Q. Was that the first time you had spoken to Janet since the social workers' interview?
A. I don't know if it's the first time, but it's the only time that's clear in my head right now.
Q. Did Janet tell you where she was during that discussion?
A. She was at Neverland.
Q. Okay. And do you know whether or not her children were at Neverland when you had that conversation?
A. Yes.
Q. Did you ever learn whether or not Janet went back to Neverland to be with her children after the interview with the social workers?
A. Can you repeat that?
Q. Sure. After the interview with the social workers, you took the children to Neverland?
A. Uh-huh.
Q. And did you ever learn that Janet went to Neverland to be with the children? 11223

A. After I took them there?
Q. Yes.
A. In the phone conversation I had with Davellin following my time at Neverland, I don't remember her mentioning her mother being there. I don't remember her mentioning her mother not being there. I just -- I can't remember that.
Q. So you don't really know if Janet went back to Neverland after the interview with the social workers?
A. I know she went back at some point. I just don't know when.
Q. Okay. And I think you said the next time you spoke to Janet, it was your understanding she was at Neverland, right?
A. I know she was at Neverland.
Q. How do you know?
A. Because she told me.
Q. Okay.
A. And because whenever I have Privacy Manager or something like that, Neverland Valley Ranch shows up on my caller I.D.
Q. Okay. Approximately when do you think you had the conversation with Janet at Neverland that you just described?
A. I'll say it was anywhere from two to three weeks after that interview with the social workers.
Q. Okay. Did Janet talk about the German 11224

1 people in that discussion?
2 A. Yes.
3 Q. What did she say?
4 A. She didn't like them.
5 Q. Did she elaborate?
6 A. I'm sure she did. But I don't remember
7 exactly what she said about them. It was a very
8 long conversation, so I don't remember exactly what
9 she said about the German people.
10 Q. Okay. And she mentioned Brazil in that
11 conversation?
12 A. Yes.
13 Q. Did she say she wasn't going?
14 A. She said she didn't want to go.
15 Q. Okay. And did she mention in that
16 conversation that she learned Michael Jackson wasn't
17 going to Brazil?
18 A. Not that I can remember, no.
19 Q. Okay. Did she complain about Michael
20 Jackson in that conversation?
21 A. No.
22 Q. Did Janet ever complain to you about Michael
23 Jackson?
24 A. Never.
25 Q. Did she say nice things about Michael in
26 that conversation?
27 A. No.
28 Q. Did she really talk about him? 11225

A. I'm sorry?
Q. Did she talk about Michael in that conversation, if you remember?
A. The only instance that I remember her mentioning Michael's name is when she said that they would not allow the children around -- her and the children around Michael.
Q. Okay. And that was in February of 2003 or March of 2003?
A. I believe it was March of 2003.
Q. Okay. And that conversation -- excuse me. In that conversation, was it your understanding that Janet was at Neverland?
A. I know she was at Neverland.
Q. Okay. Okay. Now, did you ever talk to Davellin about whether or not she had any friends she used to be with at Neverland?
A. Davellin talked about Marie Nicole a lot.
Q. And what did she say about her?
MR. SNEDDON: Your Honor, I'm going to object as hearsay.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Was it your understanding, based upon your discussions with Davellin, that Marie Nicole was her friend?
A. Yes.
Q. Did you ever see Davellin at Neverland with Marie Nicole? 11226

A. Yes.
Q. On how many occasions do you think?
A. When I drove to Neverland after the interview, she told me about Marie Nicole on the way there, and that we would meet her once we got there. And once we arrived, Marie Nicole was there.
Q. Okay. And did you see Davellin hang out with Marie Nicole at Neverland?
A. Yeah, we all kind of hung together.
Q. Okay. In the conversation with Janet in March that you have just described, did she ever tell you that her family had been held against their will at Neverland?
A. No.
Q. In that conversation with Janet in March, did she ever say that her family had been falsely imprisoned?
A. No.
Q. In that conversation with Janet in March, did she ever say that her family were the victims of extortion?
A. No.
Q. And in that conversation with Janet in March of 2003, did she ever say that she or her family were forced to escape from Neverland?
A. No. I'm sorry.
Q. Why are you smiling?
A. I mean, it's Neverland. I don't really know 11227

who would want to escape Neverland. It's just a fun place.
Q. Okay.
A. But, no, she never said that.
Q. Okay. Now, you've indicated that Janet would speak to you for long periods of time, right?
A. Yes.
Q. And what -- when you say a long period of time, what do you mean?
A. Sometimes an hour or two.
Q. And is this in the year 2003?
A. This is pretty much from the start of us talking on the phone until the last conversation we had.
Q. Did Janet ever complain to you that Michael Jackson had molested her children?
A. No.
Q. And when do you think the last conversation you had with Janet was?
A. In March of 2003.
Q. Do you have any idea what part of March that was?
A. I'll say early March.
Q. So in early March, she told you that the German people wouldn't let her children see Michael Jackson?
MR. SNEDDON: Your Honor, I'm going to object. Asked and answered. 11228

THE COURT: Sustained.
MR. MESEREAU: With the Court's permission, I'd like to approach the witness, if I may, Your Honor, to show some exhibits.
THE COURT: All right.
MR. MESEREAU: They would be Defense Exhibits 5090, 5091, 5092, 5093 and 5094. They are photographs with writings on the back, and I have showed them to the prosecution.
THE COURT: All right.
MR. MESEREAU: Thank you.
MR. SNEDDON: Just let me see them a minute.
Q. BY MR. MESEREAU: Miss Pryor, I'm showing you the exhibits I just described, and I'd like you to first look at Defense Exhibit 5090, okay?
A. Okay.
Q. Have you seen that photograph before?
A. Yes.
Q. And where have you seen that photograph?
A. At my house.
Q. And how did you ever see that photograph?
A. It was mailed to me, along with other photographs.
Q. Okay. And do you know who mailed it to you?
A. The children did.
Q. Okay. Would you please read what's on the back of that photograph?
A. Sure. 11229

MR. SNEDDON: Well, Your Honor, it's not in evidence yet, so I'd object. But to save some time, I'll just indicate to the Court, I'll stipulate to the admissibility of all these, just to make the record clear.
THE COURT: You're offering all of them?
MR. MESEREAU: We are. We are.
THE COURT: They're admitted.
MR. MESEREAU: If I can approach, I'll just put them all in front of the witness, then.
Q. Will you please read what's on the back of the first exhibit?
A. "Hi, Azja. I am sending you a picture of us so when we are not with you, you can see us. I love you, Azja. Your little guy, Gavin Arvizo."
Q. Do you know if Gavin sent that to you?
A. I'm assuming he did.
Q. And when did you receive it?
A. I don't know.
Q. Okay. Do you know which year?
A. I don't remember.
Q. Okay. Could you read the back of each exhibit in front of you?
A. Sure.
THE COURT: Tell us the number you're reading.
THE WITNESS: Oh. Sorry.
5091. This one is for Chris. It says, 11230

1 “Chris, this is a picture for you to remember us
2 always and when you are far away from us you can see
3 us. I love you, Chris. See you soon, big bro.
4 Your little bro, Gavin Arvizo.”
5 Q. Okay.
6 A. 5092. “Hi, Boo-Boo.”
7 That’s my son’s nickname.
8 “Hi, Boo-Boo. This is your big brother.
9 Now you can see us all the time. I love you,
10 Boo-Boo, and I miss you. Your big brother, Gavin
11 Arvizo.”
12 5093. “Dear, Azja. I give this to you with
13 love. I love you. Love, your little brother,
14 forever, Star.”
15 5094: “Dear, Chris. I love you and miss
16 you with all my heart. Love, Star David Arvizo.”
17 Q. Now, these are all photographs of the Arvizo
18 children, right?
19 A. Yes.
20 Q. And were they mailed to you at once or did
21 you get them periodically?
22 A. No, they all were mailed at one time.
23 Q. And do you know approximately when that was?
24 A. No.
25 Q. Okay.
26 A. Sometime during our friendship.
27 Q. Okay. Now, in March of 2003, did you speak
28 to any of the Arvizo children? 11231

A. Yes.
Q. Who did you speak to in March of 2003?
A. I spoke to the three children.
Q. And when you spoke to them, did you know
where they were?
A. I don't remember.
Q. Did any of the children ever complain about
Michael Jackson to you?
A. No.
Q. Did Janet Arvizo ever mention someone named
Jamie Masada to you?
A. Yes.
Q. And when did she mention Jamie Masada to
you?
A. I've been hearing Jamie's name since I
believe the first day I met the children. And
subsequently, after that, when I would speak on the
phone to their mother.
Q. Did Janet ever mention to you that Jamie
Masada was a close friend?
A. Yes.
Q. Did she ever mention to you in February of
2003 that Jamie Masada had taken her to an attorney?
A. No.
Q. Did Janet mention to you at any time in
February of 2003 that she had seen an attorney named
Bill Dickerman?
A. I believe so. 11232

Q. Okay. And do you know when she told you that?
A. I don't remember. It's not so clear in my head, but I do remember her mentioning the name Bill Dickerman.
Q. Do you know when she mentioned Dickerman?
A. No, I don't know.
Q. Okay. Did she ever tell you that Jamie Masada had taken her -- excuse me. Let me rephrase that.
Did she ever tell you that Jamie Masada introduced her to Attorney Bill Dickerman?
A. I don't remember.
Q. Okay. Did Janet ever tell you that Jamie Masada and Attorney Bill Dickerman had introduced her to Attorney Larry Feldman?
A. No.
Q. Now, when you were at Neverland, right after the interview with the social workers, --
A. Uh-huh.
Q. -- this is the day you drove the children there when Michael wasn't there, do you recall whether or not the Arvizo children ever asked to stay in Michael Jackson's room?
A. Yes.
Q. And did you hear them make that request?
A. Yes, I did.
Q. Where were they when they made that request? 11233

A. Maybe in the kitchen. I can't remember.
Q. Do you know who they asked if they could stay in Michael Jackson's room when Michael wasn't there?
A. I believe his name is Joe. He's the guy who's always there.
Q. And do you recall what he said?
A. He said no.
Q. And do you know where the kids stayed -- excuse me, the Arvizo children stayed that night?
MR. SNEDDON: Your Honor, that's been asked and answered.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did you ever learn that a rebuttal documentary with Maury Povich appeared on television?
A. Yes, we watched it that night.
Q. And who is "we"?
A. It was myself and my son, the three children, Marie Nicole, Marlon Brando's son, and I don't know if some of his children were there or not.
Q. Did you watch the rebuttal show with Maury Povich at Neverland?
A. Yes.
Q. Okay. And did you notice that the Arvizos were not in that show?
A. Yes. 11234

1 Q. Did you say Janet was there?
2 A. No, she was not.
3 Q. Okay. Okay. Just a few more questions.
4 May I just take a minute, Your Honor, just
5 to --
6 THE COURT: Yes.
7 Q. BY MR. MESEREAU: Do you recall Janet ever
8 discussing whether or not Michael Jackson was going
9 to set up a college fund for her children?
10 A. Can you repeat that?
11 Q. Sure. Do you recall whether or not Janet
12 ever discussed words to the effect that Michael was
13 going to set up a college fund for her children?
14 A. Yes.
15 Q. When did this discussion take place?
16 A. I believe it was in the conversation that I
17 had with her two or three weeks after the interview.
18 We covered many grounds during that phone
19 conversation.
20 Q. This is after the interview --
21 A. With the social workers.
22 Q. Okay. Did she tell you that she thought a
23 college fund was being set up for her son?
24 A. No. She didn't tell me that there was a
25 college fund being set up. She said there was
26 mention of a college fund.
27 Q. And did she want one?
28 A. No. 11235

Q. What did she say?
A. Her exact words were she doesn't even know if her son is going to be alive in ten years; "What is a college fund going to do for him?"
Q. Did she say she wanted anything?
A. She didn't say she wanted anything.
Q. Okay. Did you think she was suggesting she wanted money?
MR. SNEDDON: Your Honor, I'm going to object. Calls for opinion, speculation.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did you ever have a discussion with Janet about her hiring a lawyer to sue the people who did the Bashir documentary?
A. Yes. I asked her -- I'm sorry. Just one moment.
I don't know if I asked her if she has an attorney and whether she should look into legal action against Martin Bashir, but I asked her, "Has anyone spoke on compensating you for this?" And that's when she mentioned the college fund to me.
Q. But did she indicate she wanted compensation of any kind, to you?
A. She indicated that a college fund wasn't going to do her son any good when he might not even be alive in ten years.
Q. Okay. Did you suggest to her that she get an attorney to try to get compensation? 11236

A. I may have. I don't remember clearly, but I probably did.
Q. Did Janet ever talk to you about whether she should sign a release form?
A. I asked her did she sign a release form.
Q. And when was this?
A. During the same conversation.
Q. Okay. And again, when did this conversation take place?
A. Two to three weeks after the interview.
Q. Okay. And did she say she had signed a release?
A. No.
Q. Did she say she hadn't?
A. Yes, she said she had not signed one.
Q. Okay. Did you have any further discussion with Janet about the fact that her family had been interviewed?
A. I'm sorry, can you repeat that?
Q. Yes. Did you have --
MR. SNEDDON: I'm going to object to the question as assuming facts not in evidence with regard to -- can't do any more than that, but it's unclear, vague as to time, and also as to which conversation.
MR. MESEREAU: I think it is vague. I'll rephrase it.
Q. After the interview with the three social 11237

1 workers, and after the Arvizo family had been
2 interviewed for the rebuttal show, did you have any
3 further discussion with Janet about that rebuttal
4 show?
5 A. No.
6 Q. Did you ever talk to Janet about the fact
7 that you watched the Maury Povich rebuttal show with
8 her children?
9 A. No, not that I can remember.
10 Q. So do you recall Janet ever commenting on
11 that show at any time?
12 A. No.
13 Q. Did Janet ever mention anything to you about
14 phone calls being monitored at Neverland?
15 A. No.
16 Q. Ever tell you she thought she couldn't talk
17 because her phone calls were being listened in to?
18 A. No.
19 Q. Did Janet ever talk to you about going
20 shopping?
21 A. No.
22 Q. Did Davellin ever mention the names of any
23 young women who went to Neverland with her?
24 A. No.
25 Q. Ever mention the name of a woman named
26 Adrianna or --
27 MR. SNEDDON: Your Honor, I'm going to
28 object as leading and suggestive. 11238

THE COURT: I didn't hear the end of the question.
MR. MESEREAU: I'll restate it.
Q. To your knowledge, did Gavin ever invite a female to Neverland?
A. Yes.
Q. And when was this?
A. This was before the interview with the social workers.
Q. Okay. And how did you learn about that?
A. They told me about it.
Q. Who is "they"?
A. Gavin and Davellin and Star.
Q. And --
MR. SNEDDON: I'm going to move to strike based on hearsay.
THE COURT: Stricken.
Let's take a break.
(Recess taken.)
THE COURT: Counsel?
MR. MESEREAU: Thank you, Your Honor.
Q. Miss Pryor, you said that when you were at Neverland with the Arvizo children, you walked around the property, right?
A. Yes.
Q. And do you recall ever going into the theater?
A. Yes. 11239

Q. And did you go into the theater with the Arvizo children?
A. Yes.
Q. Do you recall ever going into a dance studio?
A. I didn't go in, but I looked in it.
Q. Okay. Now, when you looked in it, was it locked?
A. Yes.
Q. And did somebody unlock the door?
A. No. No one had a key. There was, like, a keypad on the door.
Q. Okay. And did someone know the combination?
A. Yes, Star opened it.
Q. Okay. Did you ever see Star open any other combinations at Neverland?
A. Just the dance studio and the main house.
Q. Did you ever see Gavin open any combination locks at Neverland?
A. Just the main house.
Q. Okay. Did Star and Gavin tell you they knew the combinations?
A. Star didn't. He opened the dance studio door. He said no one should be in there.
Q. And did he tell you how he learned the combination?
A. No.
Q. Did Janet ever complain to you about her 11240

children drinking alcohol at Neverland?
A. No.
Q. Did she ever mention anything about her children drinking alcohol at Neverland?
A. No.
Q. Do you recall Janet ever commenting about people making millions of dollars off of her son?
A. Yes.
Q. What did she say about that?
A. She said everyone around them was making millions of dollars off of the video. They didn't -- she didn't specifically say her sons, but off of this documentary.
Q. Did she complain that she wasn't making millions?
A. No.
Q. Was that the implication you got from her comment?
MR. SNEDDON: Your Honor, I'm going to object to the question. It's asked and answered; leading; speculation.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did Janet ever complain that she and her children were beaten up by a group of white boys?
A. Yes.
Q. What did she say about that?
A. This was during one of the times when she 11241

1 was telling me what a horrible husband David was,
2 and she told me that David had stood there and
3 watched while some white boys beat up her and her
4 children, her and her two sons.
5 Q. Did she ever mention any lawsuit?
6 A. No.
7 MR. MESEREAU: Your Honor, I'd like to show
8 the witness a document that's been marked as Exhibit
9 No. 5095, if I may.
10 THE COURT: All right.
11 MR. MESEREAU: May I approach?
12 THE COURT: Yes.
13 MR. MESEREAU: Thank you.
14 Q. Miss Pryor, have you seen that --
15 A. Yes, I have.
16 Q. -- document before?
17 And what is that?
18 A. It's a letter to me from Davellin.
19 Q. And if you look at the bottom, you see some
20 driver's license information. Do you see that?
21 A. Yes.
22 Q. Is that all part of the same document?
23 A. Yes, it is.
24 Q. Did you receive that document?
25 A. Yes, I did.
26 Q. And did Davellin send it to you?
27 A. Yes.
28 Q. Do you know why? 11242

A. From the looks of it, to give me her mother's license information.
Q. And do you know approximately when she sent you that driver's license information?
A. It's hard to see here, but I can remember from seeing the letter. It was dated February 13th.
Q. Do you know what year that probably was?
A. 2003.
MR. MESEREAU: Okay. I move this document into evidence, Your Honor.
MR. SNEDDON: No objection.
THE COURT: It's admitted.
MR. MESEREAU: May I approach and retrieve it?
THE COURT: Yes.
MR. SANGER: Your Honor, could we have the screen to the Elmo?
MR. SNEDDON: Your Honor, may we approach on the display of this exhibit?
THE COURT: Because of address information?
MR. SNEDDON: The DMV information on it, yes. I don't believe that should be public.
MR. MESEREAU: We will not display that information.
Q. Davellin -- "Davellin." Miss Pryor, Davellin sent you her mother's driver's license information, right?
A. Yes. 11243

Q. She sent you her mother's address, right?
A. I believe it was her grandmother's address.
Q. And she sent her mother's birthday
information, right?
A. Yes.
Q. And she sent her driver's license
information, right?
A. Yes, she did.
Q. And was that in relation to the
conversations you had -- excuse me. Was that in
relation to the many conversations you had about
their wanting a car?
A. Yes, it was.
Q. Did you ask for Janet Ventura's driver's
license information?
A. No.
Q. Did you know Davellin was going to send you
Janet Ventura's driver's license information?
A. No.
Q. What was your reaction when you received it?
A. I guess it was -- I knew that they wanted
the car, so it didn't really surprise me, even
though she didn't tell me she was sending it, but it
didn't really surprise me.
MR. MESEREAU: No further questions.
MR. SNEDDON: Would you leave that exhibit
there for a second?
11244

1 CROSS-EXAMINATION
2 BY MR. SNEDDON:
3 Q. Good afternoon.
4 A. Good afternoon.
5 Q. Miss Pryor, I just want to ask you a few
6 questions. I won't be long.
7 A. All right.
8 Q. With regard to your relationship with the
9 Arvizo family - okay? - I believe you've indicated
10 in the past that you found the family to be a very
11 affectionate family, correct?
12 A. Yes, very much so.
13 Q. And in fact, Davellin used, as you've
14 indicated, the term "sister" in relationship to
15 describe her relationship with you.
16 A. Yes.
17 Q. And they were a family that would like to
18 hug people even the first time they met them,
19 correct?
20 A. Yes.
21 Q. And some people, who aren't familiar with
22 the family or the way they behaved, sometimes took
23 that the wrong way?
24 A. I don't know.
25 Q. Okay. But you didn't take -- it didn't
26 bother you that they hugged you?
27 A. Not at all.
28 Q. Okay. And you knew that they were a 11245

religious family, correct?
A. Yes.
Q. They would use the term “God bless” a lot to express thanksgiving for things?
A. Yes.
Q. And you, in fact, went over to pray one time with Janet, correct?
A. Yes. Yes.
Q. Now, when you went to the Soto Street apartment, that was a -- to call it an apartment may even be misleading. It was a one-room apartment, correct?
A. Correct. It was a studio apartment.
Q. There was no bedroom in it. Everybody was in one room, correct?
A. Right.
Q. Did you observe mattresses on the floor?
A. Yes.
Q. And the room was divided off with sheets hanging up just to partition it into certain areas?
A. I never saw any sheets.
Q. So you just saw mattresses on the floor?
A. Yes.
Q. And it was your understanding that everybody was sleeping in that one room, correct?
A. Correct.
Q. Now, you’ve described how you met Janet Arvizo for the first time, and you’ve described some 11246

of your relationships with the children. I'd like to just review some of this, if we can.
You indicated that you and Chris Tucker and your son visited Gavin in the hospital on New Year's Eve, correct?
A. Correct.
Q. Actually, it was -- it was the next year, right?
A. New Year's day, yes.
Q. New Year's day. But it was early in the morning?
A. Right.
Q. So you got there just in time to be there for the year 2001, correct?
A. Right. We got there on January 1st, 2001.
Q. Yes, ma'am. When you got there, you actually -- Janet was not there?
A. No, she was not.
Q. But you did talk to her on the phone, correct?
A. Yes, I did.
Q. And when you talked to her on the phone, she thanked you for everything you had done for Gavin, right?
A. Yes, for her family.
Q. For her family. And she said that -- even in that conversation, though she had never met you, she said she loved you for what you had done for 11247

them?
A. Correct.
Q. Now, you talked about Knott's Berry Farm and you talked about the premier and the Oakland game, but let me ask you another thing about this.
Was there an occasion when Chris Tucker's brother got married?
A. Yes.
Q. And did you go to that wedding?
A. Yes.
Q. And did you invite the Arvizo children to go with you?
A. I don't remember if I did or Chris did, but one of us did.
Q. But the Arvizo children went with you to Chris Tucker's brother's wedding, correct?
A. No, they came in their mother's car.
Q. Okay. I'm sorry. But they were there because you invited them?
A. Yes.
Q. Either you or Chris?
A. Yes.
Q. And they were there as your guests?
A. Yes.
Q. You were with Chris?
A. Uh-huh.
Q. And was -- were there a lot of people at this wedding? Was it a big wedding? 11248

A. There were about 60 people altogether.
Q. Okay. And where was it held?
A. In Pasadena.
Q. At a private club?
A. It was at a residence.
Q. At a residence?
A. Uh-huh.
Q. A nice residence?
A. Yes.
Q. And then you invited them to your son's birthday party at the ranch?
A. Yes.
Q. And was there an occasion where you actually stayed at the ranch with the children for about a week after the birthday party?
A. No.
Q. So to your knowledge, was Chris Tucker there with them for about a week during the summer?
A. I have no idea.
Q. Okay. You weren't there if they were?
A. I wasn't there.
Q. Okay, fine. Now, Davellin -- Davellin --
A. Davellin.
Q. -- called you her big sister, right?
A. Yes.
Q. Did you call her your little sister?
A. Yes.
Q. And it's clear you have a very strong 11249

affection for Davellin and the boys. And she did
stay at your house on occasion?
A. Yes.
Q. Did you find her helpful when she stayed at
the house in playing with your son and helping take
care of your son?
A. Yes. She's very nurturing. Very sweet
girl.
Q. Very loving girl?
A. Very loving.
Q. Somebody you really cared for a lot?
A. Yes.
Q. And still do?
A. Yes.
MR. SNEDDON: Hand me that pen.
Q. Now, you told us about attending Davellin's
graduation from the academy.
A. Yes.
Q. The Explorer academy. And when you attended
that graduation, did you sit with Janet Arvizo?
A. Yes, I did.
Q. And it's true, is it not, that on that
particular occasion, you actually observed bruises
and injuries on Mrs. Arvizo's person, correct?
A. Yes, I did.
Q. Now, Mr. Mesereau asked you about this
conversation about Gavin hurting his arm and the
conversation about the glove. Do you remember that? 11250

A. Yes.
Q. And do you remember you saying to Janet if she needed some equipment, you'd give her the equipment; you'd give her the money to get the equipment, correct?
A. I said if she needed anything, just to ask, and if I could do it, I would help her.
Q. Did she ever ask you to buy any equipment for the family?
A. No.
Q. Now, let's talk a little bit about the DSS meeting that you went to with Miss Arvizo. You had had at least, as I recall your testimony, at least two conversations with her prior to the time that you went to the St. Andrews Street address on the 20th, correct?
A. I'm sure I had more than two conversations.
Q. I said at least two.
A. Yes.
Q. And one was the night before where she gave you directions on how to get there?
A. Correct.
Q. And one was before that in which she expressed to you that there was going to be some kind of a meeting with DSS?
A. Yes.
Q. And when she talked to you about that, she told you that she was really scared about the 11251

meeting, correct?
A. She didn't say she was really scared about the meeting. She was afraid that her children may be taken from her. I don't know if she was afraid it was going to happen at that meeting, but just the whole surroundings of this documentary and actually someone calling and reporting her to Social Services was scary for her.
Q. Okay. So she was very concerned about whether or not they might take her children from her?
A. Yes.
Q. And you knew that that was her mindset before she went into that interview?
A. Yes.
Q. And the concern was directly related to, as you understand, directly related to the fact that Gavin had appeared with the defendant, Michael Jackson, in the Bashir video, correct?
A. Can you repeat that? I'm sorry.
Q. Yes, ma'am. The concern of Mrs. Arvizo was that the DSS folks had focused on the fact that Gavin had appeared in the Bashir video, correct?
A. I don't know if that was her main concern. I'm sure that had something to do with it since it seems like this investigation had arisen since the documentary aired. But I don't know if that was her main concern, just because her son had appeared in a 11252

video with Michael Jackson.
Q. Had you seen the video before you went to the DSS meeting?
A. Which video?
Q. The documentary.
A. Yes, I had.
Q. Okay. And you had seen Gavin in the documentary?
A. Yes, I had.
Q. You recognized him?
A. Yes.
Q. And you recognized that it was Gavin sitting on the couch with the defendant in this case with his head on his shoulder?
A. Yes, I did.
Q. And holding hands with him?
A. Yes.
Q. Okay. And you knew also that during the same documentary -- let's call it a "documentary" so we don't confuse it with the other video that you mentioned. That in that documentary also, that Mr. Jackson had stated publicly that he slept with little boys, correct?
A. Correct.
Q. Okay. Now, it was the media attention that had been generated by those scenes and those statements that was causing the DSS people to investigate Janet, correct? 11253

A. I believe so. I'm not sure if there was something else involved, but I believe it was stemming from that documentary.
Q. So this was the nature of the relationship between Gavin and the defendant, Michael Jackson, that was -- that was the reason that she was concerned about being declared an unfit mother, or, let me change that, in your words, that they would take the children away at some point?
A. Yes.
Q. Now, you mentioned that -- when you were at the DSS meeting, that Janet -- at some point you were asked or told that you would have to leave by the Department of Social Services ladies. The social workers, let's just call them that.
A. Yes.
Q. And you said that Janet objected to that?
A. Yes, she did.
Q. And you used the word "absolutely objected"?
A. She was adamant.
Q. Okay. And do you remember that?
A. Yes.
Q. So do you know that that conversation was tape-recorded?
A. What conversation?
Q. The conversation with the Department of -- the social ladies, the social workers.
A. No, I wasn't aware of that. 11254

Q. Have you heard a tape of it?
A. Not at all.
Q. Did Mr. Mesereau provide you a tape to listen to before you testified?
A. No.
Q. So you at no time, up to me just telling you this, did you know that there was actually tape-recording of that part of the conversation?
A. No. Actually, I heard that there was a tape-recording, but I wasn't aware of it at the time. It was up until recently.
Q. Do you recall during that conversation that when the social workers asked you to leave, that Mrs. Arvizo actually apologized to the social workers for having invited you and said it was her fault for having you come?
A. I don't remember that.
Q. Now, let's just talk a little bit about a couple of things dealing with some of the conversations that you had with Mrs. Arvizo. Just so we don't -- so we can make it easier for both of us and for everybody, let's talk about -- let's give these things different names, okay?
A. Okay.
Q. I want to ask you some questions about the Martin Bashir documentary, okay?
A. Okay. 11255

Q. And then there is what has variously been called the rebuttal video that occurred the night before you went over to the house for the Department of Social Services meeting, okay?
A. Correct.
Q. All right. Now, with regard to the Bashir documentary, it's true, is it not, that Mrs. Arvizo's conversations with you about the fact that no release had been signed dealt with the Martin Bashir documentary, correct?
A. Prior to the Martin Bashir documentary, I don't recall us having any conversation about any release being signed. It wasn't until two to three weeks after she was interviewed by the social workers.
Q. Right. But the conversation about -- that she was complaining about the lack of a release being signed had to do with the Bashir documentary, correct?
A. Correct.
Q. It wasn't anything to do with the rebuttal film that had occurred the night before the Department of Social Services?
A. No, it was not.
Q. All right. Let's talk just a little bit about the car.
A. Okay.
Q. Mr. Mesereau asked you a number of times 11256

about them asking about a car, asking for a car, okay? In this particular situation, actually Chris Tucker had given them the car, right, your car, to your knowledge?
A. He had not given them the car. The car has never left my -- my parking space.
Q. It eventually never went to them, but your understanding was that he had indicated to them that he was giving them your car, correct?
A. Yes.
Q. As a gift?
A. Yes.
Q. Out of the kindness of his heart?
A. Yes.
Q. So it wasn't a car. It was the car. It was your car.
A. Right. It was my car.
Q. Yeah. And part of the problem here was that during the month of February, Mr. Tucker had flown to Florida and then was gone the entire month of February, correct?
A. I don't remember. I don't think he was gone the entire month of February.
Q. He was gone for an extended period of time?
A. He may have been.
Q. But in any case, the car that they were talking about was your car that you had -- let me go back. You got a new car, right? 11257

A. Yes.
Q. You got a Mercedes?
A. Yes.
Q. An SUV Mercedes?
A. Yes.
Q. Did the children go with you when that car was picked out?
A. I wasn't there when the car was picked out. The children went with Chris to pick out the car.
Q. And to your knowledge, did Chris let them pick out the color for the car?
A. I don't know. I think they may have mentioned that before, but I don't know. The children told me that they actually went with Chris.
Q. When he bought the car for you?
A. Right.
Q. You mentioned giving the Arvizo family a cashier's check for Christmas as a present, correct?
A. Correct.
Q. And that was in the year 2001, for the Christmas 2001?
A. Yes.
Q. And you sent that to them with a nice Christmas card and a note, right?
A. I'm sure I did, yes.
Q. And as a matter of fact, they also gave you some Christmas presents and gift certificates for your son, correct? Do you recall that? 11258

A. I remember them giving me gift certificates.
I don't know when it was, if it was that Christmas
or Mother's Day. They would send me gifts from time
to time, different holidays.
Q. So the feeling between you and the kids was
that it was one of -- that close, that you would
actually exchange gifts and pleasantries with each
other, correct?
A. Correct.
Q. I actually just have one more question.
A. Great.
Q. I know that's a great relief to you.
When -- actually, I have two, I'm sorry. That's a
lawyer's problem. They can never ask just one.
But the exhibit that Mr. Mesereau handed
you, which is the 5095, which is the one with the
information on it --
A. Okay.
Q. -- that I'm showing you now, actually the
document itself contains an affectionate note from
Davellin to you before all the information about the
driver's license and all that, does it not?
A. Yes.
Q. And in fact, there's like a heart at the top
of it with "February," and then there's a nice note
to you about how much she loves you and cares for
you?
A. Yes. 11259

Q. And then the information is below that?
A. And then the driver's license information.
Q. Okay. She signs it, "Love, your little sister"?
A. Right.
Q. Okay. Now we can get to the last question.
A. Okay.
Q. At the time you were with the Department of Social Services workers and just before you were asked to leave, do you recall that?
A. Yes.
Q. Do you recall telling the Department of Social Services that you would like to stay because you considered these people your family?
A. I didn't say that. Janet said that. She said she would like for me to stay because I am her family.
Q. Do you recall making this statement? "I mean, I was -- I'm here to support my family. That's -- you know, but I understand your policies about it. If she wants, you know, she needs me with them."
Did you make that statement?
A. Maybe I did. I don't know. I don't really remember saying that. I may have said that, yes.
Q. But you used the term "family" --
A. Right.
Q. -- there, "to support my family"? 11260

A. I don't know if I said there "to support my family," but I have used "my family," that term before when talking about them. So I may have said it that day.

MR. SNEDDON: Okay. Thank you. No further questions.

REDIRECT EXAMINATION

BY MR. MESEREAU:

Q. Ms. Pryor, nowhere in the Bashir documentary does Mr. Jackson ever say, "I sleep with little boys," does he?

A. No, that was an issue that Janet and I talked about. My understanding of watching the documentary was that Mr. Jackson said that children have slept in his bed and he slept on the floor. And that was another issue why we didn't understand there was being such a big uproar about this when he clearly said that he slept on the floor.

Q. And Mr. Jackson makes a point to say that he never has any sexual contact with children, right?

A. I believe he did.

Q. The words "I sleep with little boys" are just made up by the government, right?

MR. SNEDDON: Your Honor, I'm going to object. That is argumentative, and I'd ask counsel to be admonished for this.

THE COURT: Sustained. It's argumentative. 11261

Q. BY MR. MESEREAU: Now, Mr. Jackson also in that documentary talks about children needing more love and attention, doesn't he?
A. Yes.
Q. He talks about kids bringing guns into schools, doesn't he?
MR. SNEDDON: Your Honor, I'm going to object as leading, suggestive.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Now, the prosecutor, Mr. Sneddon, talked about Mr. Jackson holding hands with Gavin, correct?
A. Correct.
Q. Isn't it correct that Gavin often wanted to hold hands with people around him?
MR. SNEDDON: Your Honor, I'm going to object. Calls for a conclusion, speculation, and it's leading.
THE COURT: Sustained.
Q. BY MR. MESEREAU: Did you ever see the rebuttal footage of the Arvizo family interview when Janet says to Gavin, "Let's hold hands"?
A. I haven't seen any rebuttal footage of the Arvizos, no.
Q. Do you remember Janet often saying, "Let's hold hands"?
A. Yes.
Q. She said that to you, didn't she? 11262

A. I don’t remember.
Q. Didn’t Janet tell you that her family all held hands and prayed to God that they would meet Michael Jackson and Chris Tucker?
A. Yes, she did.
Q. And when the prosecutor, Mr. Sneddon, asked about the Arvizos being affectionate, you agreed with him, right?
A. Very much so.
Q. When he said they were very unduly and very quickly affectionate with people, you agree with that, right?
A. Very much so, yes.
Q. And they used to immediately hug people, correct?
A. Yes.
Q. People they hardly knew, right?
A. I don’t know, but -- I don’t know. I haven’t really been around them when they just met strangers, but anyone who I ever brought around them, yes, they --
Q. I’m sorry.
A. -- they were very affectionate towards them.
Q. Part of their being affectionate was also holding hands at times, right? Ever see them hold hands?
MR. SNEDDON: Well, Your Honor, let -- she was waiting for the answer to the first question. 11263

THE WITNESS: I've seen them hold hands.
THE COURT: All right. That's okay. Go to your next question.
MR. MESEREAU: Okay.
Q. Now, the prosecutor, Mr. Sneddon, asked you if you'd been to the Soto Street address, right?
A. Yes.
Q. Have you been to the grandparents' address?
A. No.
Q. But you've been to what you now know is Jay Jackson's address, correct?
A. Yes.
Q. When Janet -- excuse me. When Davellin and Janet were asking you for a car, did you know whether or not Jay Jackson was supporting them?
A. I was not aware that Jay Jackson was even in the picture during this time.
Q. Okay. Was -- Janet and Davellin, were they telling you they were too poor to get a car?
MR. SNEDDON: Object. Calls for hearsay and leading.
THE COURT: Compound, sustained.
Q. BY MR. MESEREAU: At the time they were asking you for a car, did you know whether or not Janet was collecting welfare checks?
MR. SNEDDON: Object, Your Honor. This is compound and leading.
THE COURT: It's sustained. Compound. 11264

Q. BY MR. MESEREAU: Well, when they consistently called you, call after call, and asked for an automobile, did they tell you in any of those conversations that they were too poor to buy a car?
MR. SNEDDON: Your Honor, I'm going to object to that as argumentative in the use of the word "consistently."
THE COURT: Sustained.
MR. MESEREAU: I have no further questions, Your Honor.
MR. SNEDDON: No questions, Your Honor. Thank you.
THE COURT: All right. Thank you. You may step down.
THE WITNESS: Thank you.
MR. SANGER: Your Honor, our next witness would be -- our next witness would be Mr. Nimmer.
BAILIFF CORTEZ: Mr. Sanger?
THE BAILIFF: I'll come get it.
THE COURT: Are you prepared to show me that?
(To the jury) All right. I have to review a piece of evidence here that's going to take, according to counsel, 19 minutes and 8 seconds.
MR. SANGER: Three seconds.
THE COURT: Three seconds. So I'm going to let you go outside and have some more soup.
A JUROR: There's none left.
THE COURT: Ahh. 11265

(The following proceedings were held in open court outside the presence and hearing of the jury:)

MR. SANGER: Your Honor, are you ready to proceed?

THE COURT: Yes. Is it “1” or “4”?

MR. SANGER: All right. Before I start it, let me just state for the record that we have Exhibit 5089, which I think I already identified for the record. I’ve put that in the machine, and then we’ll keep a good thought.

It might be helpful if we could have the lights. Thank you. I know there’s somebody usually on the other side there.

THE BAILIFF: Is there sound?

MR. SANGER: No, there is no sound with this, Your Honor.

(Whereupon, a DVD, Defendant’s Exhibit 5089, was played for the Court.)

MR. SANGER: That’s the end of the video, and we would propose to have Mr. Nimmer narrate basically where he was when he was shooting, and he would say, “This is the front gate,” “This is Figueroa,” “This is the guest unit,” that sort of thing.

MR. SNEDDON: Judge, as I indicated earlier, 11266

I believe that this -- a good deal of what's in this video is inadmissible. And particularly objectionable is those parts that deal with having staff out there doing things, basically scripted or -- "scripted" is probably not a good word to use in light of everything that's happened in this courtroom, but certainly the way they're performing on the video and performing for the camera specifically.

Secondly, there are some parts about this that there is no way to establish that this is the way that the premises looked at the time of the events in February and March of 2003. And I believe this video, portions of it were filmed earlier this year and maybe portions of it recently, and we know for a fact that certain portions of it are different from when we went out there, when members of the sheriff's department went out there in December of 2004.

So it's misleading to the jury in the sense that it portrays certain locations and places different than they were and certain facilities. If this were simply a video of somebody showing the zoo or showing the giraffes or showing the amusement park -- and you can see it's unduly suggestive in the fact that they have notes on the board that are obviously propaganda in the sense they're notes with, "We love you, Daddy," and in the mail room 11267

where they took them, there was actually a sign of protest dealing with this case. Those things don't belong in front of the jury, and it's highly inappropriate focusing on one particular picture and one particular room. And so I just think that this video should not be admitted. It's -- it's 352. It's of little or no value to the jury, and that it would tend to mislead the jury as to the factual issues they have to make. And I think it's particularly misleading with regard to the fact of the clocks. There's some testimony about where the clocks were. It's not inconsistent with what's portrayed here, but the way they portrayed it here is the way the clocks were operating when this video was taken, and it misleads the jury that they may have been operating differently at another time. And so I think in all respects that this video should not, in its current condition, be submitted to this jury for observation and review, and we object to that, Your Honor. Thank you.

THE COURT: Well, I think the -- I did deny the request to go to the Neverland Ranch, but I had in mind, when I denied that, that the parties would be capable of showing the property with a video such as this. And there's some truth to the fact they're showing -- I guess it's probably the typical welcome 11268

that the guests get at Neverland when they go there, but I don't think it's a prejudicial issue, and I'll allow the film.

MR. SNEDDON: Judge, I can't convince the Court that they should edit out some of the parts that are really inappropriate for the jury to see? It's a simple editing job. It seems to me if you're going to let some of it in, that's fine, but it also seems to me that some of those things are really not appropriate, particularly the writings on the chalkboard and --

THE COURT: Well, I don't know. It moves pretty rapidly. I mean, I didn't get the feeling that I could read any of that material. It moves right along. I tried to -- I started to look at it, and about the time I was understanding what might be there, it was gone. So I don't really see any problem with it.

I would not want you dwelling on those items with your narrator, if you had that in mind. You haven't said that you do.

MR. SANGER: No. In fact, we will make it clear the narrator did this in 2005. It says it right on the -- on the video. And the thing on the board was just there when he was out there. It was Mr. Jackson's kids had written something, evidently. But that's clear he did it in 2005, and the jury will know it wasn't in 2003. 11269

THE COURT: All right.
MR. SANGER: What I'd propose to do is to play the other tape first, the one we have an agreement on, and we can probably do that before we have the break.
THE COURT: All right. Let's have the jury come in, and we'll play the other part first.
Did you call them in?
THE BAILIFF: I did.

(The following proceedings were held in open court in the presence and hearing of the jury:)

THE COURT: When you get to the witness stand, please remain standing. Face the clerk over here. Raise your right hand.

LAURENCE NIMMER
Having been sworn, testified as follows:

THE WITNESS: Yes, I do.
THE CLERK: Please be seated. State and spell your name for the record
THE WITNESS: Hello. Laurence, or Larry, Nimmer. Laurence is L-a-u-r-e-n-c-e. Nimmer is N-i-m-m-e-r.
THE CLERK: Thank you. 11270

MR. SANGER: Okay. May I proceed, Your Honor?
THE COURT: Yes.
DIRECT EXAMINATION
BY MR. SANGER:
Q. Mr. Nimmer, how are you presently employed?
A. I have a legal graphics, demonstrative evidence company.
Q. All right. And you did just the right thing. We have to tell every witness to sit right up into that right microphone.
A. Okay.
Q. All right. And how long have you had a legal graphics company?
A. I've had my company for 13 years, and I've worked in the field another two years.
Q. All right. Can you give us your background, training, and experience that leads up to your being employed in the legal graphics field?
A. Well, I have an undergraduate degree in architecture, and then I studied broadcasting at San Francisco State University. I worked in T.V. news for the CBS affiliate in San Francisco. And I've been involved in graphics and multi-media for the last 30 years.
Q. Now, as far as the legal graphics aspect and legal documentation aspect is concerned, I think you've said you've been doing this for about 15 11271

1 years?
2 A. Correct.
3 Q. All right. And during that 15 years, have
4 you had occasion to prepare exhibits for
5 presentation in court cases?
6 A. Yes, quite a few.
7 Q. Is that one of the main things that you do?
8 A. That is correct.
9 Q. All right. Can you tell us whether or not
10 you have been called to testify in any of the courts
11 in this general area?
12 A. Yes, I have.
13 Q. And what courts do you recall testifying in?
14 A. Santa Barbara. Ventura. Los Angeles.
15 Q. Have you testified in Santa Maria courts?
16 A. I don't believe I've testified here. I've
17 had trial exhibits in these courts.
18 Q. Have you testified in San Luis Obispo?
19 A. I have not testified there. I've had trial
20 exhibits there.
21 Q. Your exhibits have been received in court
22 without your testimony?
23 A. Correct.
24 Q. All right. Now, over the course of your
25 work in the last 13 years in your own company, about
26 how many cases have you prepared exhibits for?
27 A. Between 900 and a thousand.
28 Q. And about how many exhibits do you believe 11272

have been, to your knowledge, admitted into evidence in court?
A. I would guess around a thousand exhibits --
Q. So you prepared --
A. -- I'd estimate.
Q. So you've prepared more than one exhibit --
A. Per trial.
Q. -- per case?
A. Yes.
Q. So a percentage of the cases you work on go to trial, and of those, there's a number of exhibits per case that might go before a jury or before a judge; is that correct?
A. That's correct.
Q. All right. Now, you have -- have you worked primarily in the criminal area or the civil area?
MR. SNEDDON: Your Honor, in order to expedite this, I'll stipulate to his qualifications. We can just move on to the --
MR. SANGER: I'll accept the stipulation. I need to ask a couple more foundational questions for the first tape, but --
THE COURT: Okay.
MR. SANGER: Thank you.
THE COURT: Thank you.
Q. BY MR. SANGER: Now, as far as the work that you do, does part of it involve preparing diagrams and charts for court? 11273

A. Yes.
Q. Does part of it involve preparing video documentation?
A. Yes.
Q. And can you explain what the purpose is to video documentation, in general? What are you doing when you're doing that?
A. Generally it's to give an objective view of a scene, or an object, or whatever the subject matter.
Q. And have you worked for both sides in cases, both the plaintiff's side and the defense side?
A. Yes, I have.
Q. When you say -- I think you said "an objective view." Were those your words?
A. Yes.
Q. Is it possible to manipulate video or visual media to give a distorted view of something?
A. Yes.
Q. Do you attempt to avoid that when you're preparing a video documentation?
A. Yes, I do.
Q. Can you explain what kind of video documentation you often prepare for court cases?
A. I've done day-in-the-life videos that document, if someone's been injured, what their quality of life is now or when they were involved in a certain job. 11274

I've documented accident scenes, different environments, buildings, that type of thing.
Q. All right. And you mentioned day in the life. Can you just explain just briefly what that means?
A. Well, if someone in a personal injury case has been injured, sometimes I will follow them around and show what their quality of life now is for the jury to be able to evaluate what their problems are or what their lifestyle is like, basically.
Q. All right. In this particular case, did you prepare two different videos?
In fact, what I'll do, Your Honor, let me back up for a second. During the break, I asked that a DVD, which I'm calling a video, be marked as Exhibit 5096, and it's entitled, "Neverland alarm test."
And then prior to this, I believe out of the presence of the jury, we marked -- we had already identified a video entitled "Neverland Ranch 2005," and that was marked for identification as 5089.
THE COURT: Yes.
MR. SANGER: Okay. Thank you.
May I approach the witness with these exhibits?
THE COURT: Yes.
Q. BY MR. SANGER: All right. You have before 11275

you Exhibit 5096?
A. Yes.
Q. Okay. Do you see the little yellow tab on there?
A. I do.
Q. Okay. And what is that?
A. The Neverland alarm test.
Q. And is that a video that you created?
A. Yes, it is.
Q. All right. Now, with regard to that video, did you have a particular assignment that you were asked to carry out?
A. Yes, I did. Should I describe it?
Q. Yes, please.
A. I was asked to document the sound of the alarm in the private suite of Mr. Jackson, both downstairs in the private suite and upstairs in the bedroom area.
Q. Okay. When we say “alarm,” I suppose that’s what it says on the video. Can you describe what this is? You say “alarm.” What is it?
A. Yes, it’s kind of a chime sound that is triggered when someone walks in the outer area of the private suite.
Q. All right. And did you have occasion to go to Mr. Jackson’s home?
A. Yes, I did.
Q. Did Mr. Jackson give you permission to go in 11276

there and spend the time you needed to do this video?
A. Yes.
Q. All right. Did you have any assistance in doing this video?
A. I used the assistance of a maid on the property to walk out and walk in to trigger the alarm. I had an assistant with me for some other purposes, but during the alarm test, I didn't have any other really assistance on that.
Q. So basically for the alarm test, you pretty much commandeered somebody who was working that day; is that correct?
A. Correct.
Q. And you asked her to walk through the hallway area to set off the chimes, or the bell, or whatever it was, correct?
A. That's correct.
Q. And then what did you do to record the sound of that bell?
A. I used my professional video camera, it's a Sony VX2100, and I used the internal stereo microphone on the camera to record the sound.
Q. Did you make any modifications to that camera in order to do this test?
A. No.
Q. How long have you had that camera?
A. Approximately a year, year and a half. 11277

Q. And have you used that camera during the last year, year and a half routinely in other cases?
A. Yes. About every day, every other day.
Q. All right. So that's your regular everyday camera is what you're saying?
A. Correct.
Q. All right. Now, in the course of doing this -- we're going to show it, but before we do -- or we're going to ask to show it. Before we do, though, I want you to set it up a little more. In the course of this, do you recall where you were standing during the first part of the test?
A. During the first part of the test I was inside the private suite area downstairs, perhaps about 15 feet from the front door, opposite the front door.
Q. And did you have -- do you remember the name of the particular employee who you asked to help you?
A. I believe her name was Maria.
Q. Do you remember her last name?
A. No.
Q. Does Maria Gomez sound right? Or you don't know?
A. I'm afraid I don't know her last name.
MR. SANGER: I'd like to refer to her by her last name.
Is there any objection to my doing that? 11278

Miss Gomez? I can represent to the Court, as you'll see, that's who it is.
THE COURT: Is there any problem with that, Mr. Sneddon?
MR. SNEDDON: I'm assuming that's who it is.
Q. BY MR. SANGER: So I'll refer to Miss Gomez.
A. Okay.
Q. Just so we're proper and polite here. What did you instruct Miss Gomez to do?
A. I instructed her, once the camera was recording, to walk out and then walk back in.
Q. Now, did you have her go down the hallway a certain point?
A. Correct. There's an outer hallway where the alarms or the chimes are triggered. I had her walk through there so she was on the other side of it, and then walk in.
Q. You say the other side of the hallway. Would that be the door that's adjacent to the foyer and the front door?
A. That's correct.
Q. So you had her walk down that little hallway and turn around and walk back into the room; is that correct?
A. That's correct.
Q. And did you have her close the door behind her as she went out?
A. Yes. And possibly it automatically closed. 11279

Q. Okay. Now, so -- and the first test was you standing on the first floor of Mr. Jackson's suite, private suite area, and doing just what you said. What was the second test?
A. The second test was upstairs in the private bedroom area. My camera was positioned two or three feet kind of behind the bed. So we see the bed in the foreground pointing towards the stairway where people walk up to get upstairs to the private bedroom.
And your question was what was the test?
Q. Well, that was -- I think you answered my question. I think. But let's try another question. All right. And that's where you were located. So then what did you instruct Miss Gomez to do?
A. I instructed her, similar to the first test, to walk downstairs, walk through the room downstairs, through the hallway downstairs where the alarm is triggered, to walk all the way out into the foyer area, and then to turn around and walk back in through the hallway, through the downstairs area, up the stairway into the private bedroom.
Q. All right.
A. And I should mention we had the door open at the bottom of the steps.
Q. So we're going to get to that. The second test we're going to see, the door 11280

at the bottom of the steps --
A. Of the stairway.
Q. -- it's an internal door in between the first-floor room and the hallway and stairway leading up to the second-floor room. There's a door there; is that correct?
A. That's correct.
Q. So the second test, in the sequence of three tests here, you had the door open, correct?
A. That's correct.
Q. And then what was the third test?
A. The third test was just the same as the second test; however, we had the door closed at the bottom of the stairway which leads up to the upstairs bedroom.
Q. All right. Now, have you had a chance to listen to the -- or listen to and watch the video that you prepared?
A. Yes.
Q. You were there, of course, during the time this was being filmed? You were the one filming it, correct?
A. Correct.
Q. Did you have an opportunity to compare what you heard on the video to what you heard with your own ears as you were standing there?
A. Yes.
Q. Does the video fairly and accurately depict 11281

what you heard?
A. I'd say fairly and accurately. Perhaps the last test, with the door closed downstairs, I believe the alarm actually sounded somewhat louder in person than you'll hear it on the tape. But otherwise, I believe it's more or less like the experience of being there.
MR. SANGER: All right. And with that, Your Honor, I'd like to play 5096, if we may. I think I need to move it into evidence first, which I do.
MR. SNEDDON: No objection.
THE COURT: All right. It's admitted.
MR. SANGER: And -- all right. And now I've got to retrieve it.
THE WITNESS: Okay.
(Whereupon, a DVD, Defendant's Exhibit 5096, was played for the Court and jury.)
MR. SANGER: Okay. May I proceed with questioning?
Q. Now, with regard to Exhibit 5096, you just heard it?
A. Correct.
Q. Does that appear, as you listen to it, to be a fairly accurate depiction of what you were able to hear of the bell?
A. Well, as I said, the last test with the door closed, I remember hearing it very clearly. Here, you hear it, but not that loudly. So other than 11282

that, I'd say it's fairly accurate.
Q. Now, there was a -- there seems to be a faint bell that seemed to be triggered when Miss Gomez was going out, but not every time.
Did you -- did you hear that?
A. I noticed that, and I don't know why it's inconsistent that way.
Q. In other words, sometimes it seemed there was a faint bell set off when she went out the door, and other times there was no bell at all that you could hear; is that correct?
A. Correct. And sometimes the bell seemed louder when she went out. Sometimes it didn't seem to trigger at all when she went out, but it always seemed to trigger when she came in.
Q. Okay. Now, you have in front of you 5089?
A. That's correct.
Q. All right. And is that the DVD that you compiled as a result of visiting and going around the Neverland Ranch itself?
A. Yes, it is.
Q. And is that video cut from longer -- I want to say film, but it's not film, it's all on video, so whatever you call it. Is that cut from a longer series of shots?
A. Yes, it is.
Q. And did you try to -- what did you try to do in compiling that video? 11283

A. I tried to give an objective view of the experience of a visitor to Neverland.
Q. All right. There is some people who are seen in the video at various places. People, for instance, driving a tractor or golf cart or something like that. Were they planted there by you or were they actually doing that?
A. They were actually doing that.
Q. Now, there are some scenes where -- a scene, for instance, where you have some people lined up -- there are people lined up as you're going into the main house. Did you ask them to do that for a particular reason?
A. Yes. I was told that often, when visitors come, the staff stand out in front and greet the visitor. So I asked if I could experience that as well with my camera.
Q. So that is something you requested as opposed to somebody just driving a tractor on the property?
A. Correct. And I think there's also a repeat of the scene of Miss Gomez walking in the downstairs private suite and I arranged for that shot, too.
Q. All right. And there are a couple of others where there's -- at the train station or the theater where people are offering -- offering you something or holding out something; is that correct?
A. That's correct. 11284

Q. And was that arranged?
A. That was arranged. I asked if they could have it as it would normally be for a visitor and what the experience was like.
MR. SANGER: All right. Very well.
THE COURT: We'll take our break now.
(Recess taken.)
THE COURT: I scared the bailiff. She stepped right out, and I was standing right there. We were like that, for a second.
All right. Are we prepared to go forward?
MR. SANGER: Yes. I wanted to ask a few more preliminary questions, before we start, to set the scene.
THE COURT: All right.
Q. BY MR. SANGER: You have up there -- you have 5089. That's what we're talking about. And that's your -- what a visitor might see if they came to Neverland?
A. That's correct.
Q. Now, the ranch itself is -- and I think we had testimony, is 2700 acres, something like that. Did your video cover the 2700 acres?
A. Well, not every acre, but we went throughout the property.
Q. And on the video that you've come up with here, can you tell us, just in general terms, where it starts, where it goes? In general terms. Not 11285

every frame, but where it starts, where it goes, and how it ends.
A. Sure. We start on the front gate, on Figueroa Mountain Road. We come in. We go into the inner gate, the golden gate.
And then we come to the main house area, the guest cottage area, which is opposite the main house.
We see some of the grounds.
Then we go out to the arcade, next to the main house.
Then we go to the amusement park, north of the main house.
And then the zoo north of that.
And then we see a few other areas on the property, such as video library, administrative offices.
Q. All right. There's -- in this video that we're going to see, there is -- seems to be a number of clocks.
Did you have a particular -- were you given some particular instruction with regard to clocks?
A. I did have an instruction to video clocks that one would see particularly around the main house, the guest cottage area. Other exterior --
Q. Could you do me a favor and talk in the other microphone?
A. Sure. 11286

Q. That's the one.
A. Should I repeat that answer?
Q. I think I stepped on it. So if you would, go ahead.
A. So, yeah, I did have a direction to document clocks around the main house area, the guest cottage area and other clocks outside that one would see.
Q. All right. And then I believe you said you photographed this in part during the day; is that right?
A. That's correct.
Q. Was this all done on one day?
A. No, I was there on three or so occasions.
Q. And what year was that that you did that?
A. This year. 2005.
Q. All right. And then did you also video some of the footage at night?
A. Yes, I did.
Q. All right. And when -- when you were taking these videos, do you personally know whether or not all of this is exactly the same as it was in 2003?
A. No, I don't know.
Q. Did you ask anybody to change anything in any way that would cause it to be different than the way you were finding it as you went there?
A. No. In some cases, there was an effort to make it look like it was in 2003, I believe. But I didn't ask for any particular direction. 11287

Q. Okay. Can you explain what you just told us about making it look like it was in 2003?
A. The only example I can think of for that is in the private suite area, the first time I came there, it was kind of in a state of disarray. And then I was told, when I came back, that the furniture was more or less arranged like it was in 2003.
Q. Okay. And was -- do you know if the people that did that had a reference, any kind of a video reference that they could use to try to make it look as much as they could like 2003?
A. My understanding is that they did have some reference.
Q. All right. Is that the search video that --
A. I don't know what they used. It was the ranch manager.
Q. That's fine. All right.
Okay. Your Honor, with the Court's permission, we will play the tape, if we can.
THE COURT: All right.
MR. SANGER: Oh. I have to retrieve it first. Let me do that.
May I approach, Your Honor?
THE COURT: Yes. Did you offer that into evidence?
MR. SANGER: I was just going to do that now, Your Honor. I would offer Exhibit 5089 into 11288

evidence, please.
THE COURT: Subject to your previous
objection, I'll admit it.
THE WITNESS: And should I give some
narration?
MR. SANGER: Before I start it, let me -- as
I indicated to the Court earlier, I'm going to ask
the witness to give brief narrative statements while
the tape is playing, which will be primarily
statements as to what we are looking at, where we
are at various points, if that's acceptable.
THE COURT: That's -- Mr. Sneddon, is that
acceptable?
MR. SNEDDON: I'll --
THE COURT: You'll object if something --
MR. SNEDDON: If I see something untoward,
I'll say something.
MR. SANGER: There you go.
THE COURT: Subject to his objection, then
you can proceed that way.
MR. SANGER: Thank you.
Excuse me just one second. Just one second,
Your Honor.
(Off-the-record discussion held at counsel
table.)
MR. SANGER: Thank you. We have a little
technical matter that we were going to -- second
time. 11289

(Off-the-record discussion held at counsel table.)
(Whereupon, a DVD, Defendant's Exhibit 5089 was played for the Court and jury.)
THE WITNESS: This is Figueroa Mountain Road, the main entrance to the Neverland Ranch.
This is just inside the main entrance.
These are the perimeter fences on Figueroa Mountain Road.
Straight ahead here is the bus parking and turn-around area for groups that visit.
This is the golden gate to enter near to the main house area.
This is the small train depot opposite the main house and the guest cottages.
This is the guest cottage and the lake and the main house area.
This is the main house on the southwest side.
This is entering by the front door.
Here we are in the front foyer area by the front door.
This is still the front foyer area.
This is right upstairs from the foyer area.
This is the downstairs dining room.
This is a view out of the dining room window of the guest cottages. Panning into the dining room area. 11290

This is still the dining room area.
This is the entrance to the library, the
downstairs library.
This is the living room area. And from the
living room we see into the family room/den/kitchen
area.
This is the private suite area, as we saw
earlier.
This is back downstairs in the main foyer
area.
And we pan out the front door and see the
relationship of the guest cottages across the way
from the main house. There's a cluster of guest
cottages together. Facing us is Unit No. 4.
This is another view of that same unit.
There's the main house across the way.
This is in front of the guest cottage.
And now we're inside this unit of the guest
cottage. This is Unit No. 4.
Out the window you see a view of the front
door of the main house. You're still in the guest
cottage.
That's the bathroom of the guest cottage.
This is right -- the front porch of the guest
cottage. And this is a view from the front porch.
This is the other side of that guest
cottage, and we pan over and you see the oversized
flower/plant clock. Another angle of it, and it's 11291

1 in front of the main train station.
2 There's another angle of the main train
3 station, which I said is opposite the main house and
4 the guest cottages.
5 This is inside the train station.
6 This is the back side of the train station.
7 This is the back side of the main house.
8 And this is a pan of that side of the house,
9 which is on the north side of the home.
10 This is the west end of it, the garage, and
11 just outside the garage area.
12 This is the pool on the north side of the
13 home.
14 Just north of the home, this is the arcade
15 building.
16 And here we're going inside the arcade
17 building.
18 Upstairs from the arcade building is this
19 book storage area.
20 By the way, they have three trains on the
21 property.
22 And now we're heading -- we're going to
23 see -- the next scene will be north of the main
24 house at the amusement park.
25 Opposite the amusement park, this is the
26 theater.
27 This is in the entryway to the foyer of the
28 theater. 11292

Now, about a quarter of a mile further
north, is the zoo area.
These are the grounds around the main house
and the guest cottages.
This is the small train depot.
This is the front of the train station.
This is the security office at the west end
of the main house.
Just east of the security office is the
video library. This is upstairs.
These are the administrative offices in the
administrative building, southwest of the main
house.
This is fan mail in the administrative
offices.
This is outside the main house and grounds
around the main house area.
The guest cottage.
Again, around the main house area.
This is towards the end of the day, the
guest cottage.
That completes the day scene.
And then here we are at night. This is the
amusement park.
This is the theater across from the
amusement park.
This is one of the clocks by the main train
station, which is opposite the main house and the 11293

guest cottages.
This is the lake opposite the guest cottages
and the main house.
This is the guest cottage, Unit No. 4. You
see it's across the way from the small train depot.
These are some wide-shot views of the small
train depot.
This is the guest cottage again.
And this is as one leaves, one goes through
the golden gate area.
And then further down the hill, by the main
exit, is the "Goodbye" sign.
MR. SANGER: I have a few more questions, if
I may.
Q. Okay. About how many times did you have
occasion to go to Neverland Ranch?
A. I think it was four or five times.
Q. And those were all this year?
A. Yes.
Q. During those times -- we saw on the film
that there was some pictures of some children's toys
and tricycles and other things.
During those times, did you see those toys
or toys like that around the main house?
A. Right. Just the way I found them.
Q. Did it appear that this was a family's home?
A. Yes.
Q. Now, there was some shots of the Guest Unit 11294

No. 4, several shots of Guest Unit No. 4 and the guest units in general.
As a part of your directions or assignment, as it were, were you asked in part to determine whether or not you could see clocks from the vicinity of Guest Unit No. 4?
A. Yes, I was.
Q. I think I noticed that in the video there were two clocks inside the unit; is that correct?
A. That's right.
Q. Can you describe where they were?
A. One was on the bedside table, and the other was in the bathroom.
Q. And that's the way you found that to exist in 2005 when you visited there; is that correct?
A. Correct. And I believe the ranch manager told me it was set the way it was --
MR. SNEDDON: I'm going to object to anything the ranch manager told him as hearsay.
THE COURT: Sustained.
Q. BY MR. SANGER: Now, as far as the view from Guest Unit No. 4, were you able to see any clocks from the general vicinity of Guest Unit No. 4?
A. Yes.
Q. What clocks were you able to see?
A. Well, the general vicinity of Guest Unit No. 4, you saw three clocks in the main train station area, and two clocks -- or a two-sided clock

at the small train depot area, and then there were two clocks inside the guest unit.
Q. So if -- when you were standing at Guest Unit No. 4, if you just opened the door, you could see the small train station clock; is that correct?
A. That's correct.
Q. And if you stepped outside and looked around the corner, you could see the flower clock; is that correct?
A. That's correct.
Q. And then there was also the clock up on the top of the train station; is that right?
A. That's right.
Q. And then there was that -- what looked like a big pocket watch clock by the main tracks of the train, the big train, correct?
A. That's correct.
Q. Was there also a clock right behind the house?
A. Correct. There was a two-sided clock right behind the house.
Q. And was that on -- can you describe what that clock looked like?
A. It was on a stand, and somewhat antique looking.
And to correct one answer, or to add to one answer, when you're in the vicinity of the guest house, if the front door to the main house was open, 11296

you'd also see a large clock in the foyer area.
Q. The clock you just described as being on a large stand, was that a permanent stand, or was it a lamppost kind of a thing, or --
A. Yes, it was permanent. It appeared to be permanent.
Q. And then I believe you indicated that -- or let me withdraw that.
I believe the film indicated there was some other clocks on the property on the outside, for instance, at the amusement park; is that correct?
A. Correct.
Q. And there were other clocks that were shown inside by the kitchen; is that right?
A. That's correct.
Q. How many clocks could you see if you were seated in that kitchen area where the seats are at the bar?
A. Well, if you were a couple feet just to the side of that, you'd be able to see three clocks.
Q. All right. And if you -- so if you're in the kitchen area or the family room area, you could see three clocks; is that correct?
A. Right.
Q. Let me go back to the Guest Cottage No. 4. And I asked you about the clocks that were in there. But let me ask you about the decor in there. You could see it on the film, but from your 11297

personal observation, how would you describe that unit?
A. Deluxe. Very comfortable. Nicely decorated.
Q. I noticed in the film that there were no children depicted in the film. Was that by design?
A. Yes.
Q. Okay. In other words, you were asked not to film children; is that correct?
A. That's correct.
Q. And you were asked to not film a day when children were coming up for an event or anything like that?
A. That's correct.
Q. Now, on the other hand, we had Ferris wheels turned on and a lot of things. Did you ask that that be done?
A. Yes, I did ask if the equipment could be, you know, in operation.
Q. So that was done for you so you could film it?
A. Yes, I asked them to simulate what it would be like when kids are visiting.
Q. All right. And then we had the film at night. Did you ask that the lights at the amusement park be turned on?
A. I don't recall if I asked for them to be turned on or if they were already turned on. 11298

Q. When you were there at night, were the lights that you showed for the rest of the property around the house and the guest units, were those lights on?
A. As I recall, yes, they all were on.
Q. Now, you mentioned that there were three trains on the property. We actually saw one. That was from the small -- what you called the small train station. And then we saw a larger train station, and we didn't see the train. We'll come back to that. Where was the third train?
A. You know, I believe the third train is at the amusement park, but I'm not sure about that.
Q. Is it a very small train?
A. I believe so.
Q. So you have a very small train. You have the one you saw. And then there's a larger track up by the train station; is that correct?
A. That's correct.
Q. And at the time you were filming, you were not able to get a film of that train in operation; is that correct?
A. Right. I was told there was a mechanical problem with the train.
Q. Did you have occasion to see the train yourself?
A. No, I didn't see it.
Q. There was -- all right. Very well. 11299

Excuse me just one second.
(Off-the-record discussion held at counsel table.)
MR. SANGER: All right. Sorry, Your Honor.
All right. Now, what I'd like to do, with the Court's permission, about 20 seconds into this video, you see that -- the fence. And I'd like to just -- I've got it ready to start again. I'd like to just start it again and stop on the fence for a moment and ask about the extent of that fence. I won't play the whole video, just the first 15, 20 seconds, whatever it is.
Would that be acceptable?
THE COURT: The fence along Figueroa?
MR. SANGER: Yes.
THE COURT: All right.
MR. SANGER: Actually, right at the very beginning there, I've -- this is easier said than done, so just a moment, please. Maybe I can back up.
Okay. That's a still shot.
Q. Mr. Nimmer, there is -- just out of the frame to the left is the big gate with the big doors that open, correct?
A. Correct.
Q. And just to the right of it here, you have a split-rail fence that seems to go for quite some ways; is that right? 11300

A. That's right.
Q. Let me now just go forward.
I think there's one other shot of this and
then I'll turn it off, Your Honor.
See the fence there in the background?
A. I think there's two more shots of the fence
coming up.
Q. I'll put a still on that.
So that's the other side of the fence.
That's Figueroa Mountain Road right there on the
other side; is that correct?
A. That's correct.
Q. And that's a close-up of the actual fencing
material there; is that right?
A. Correct. This is also on Figueroa Mountain
Road.
Q. This is on the other side of the gate; is
that correct?
A. Correct. Just south of the gate.
Q. The first ones that we saw were on the right
side of the gate as you face the ranch, and this is
on the left side?
A. That's correct.
MR. SANGER: Okay. Your Honor, that was, in
fact, 27 seconds into the tape. I'll stop it there,
if that's all right. Thank you.
Q. The mail that we saw, there was -- you
indicated there was fan mail that was accumulated up 11301

in the administration building; is that correct?
A. Right.
Q. And is that what you saw when you walked in the room?
A. Yes.
Q. That was not staged in any way?
A. Correct. Not that I'm aware of.
Q. Do you personally know how long that mail had accumulated; in other words, whether it was a day's worth or a week's worth or whatever?
A. I don't really know.
Q. You just took a picture of what you saw when you got up there; is that correct?
A. Yes.
MR. SANGER: All right. Very well. I have no further questions on direct.
THE COURT: All right. Mr. Sneddon?

CROSS-EXAMINATION
BY MR. SNEDDON:
Q. Good afternoon, Mr. Nimmer.
A. Good afternoon.
Q. I want to talk about the short one first, with the chimes, okay?
A. Okay.
Q. With regard to the chimes, is the footage we saw in the courtroom on that exhibit all of the footage that you shot with regard to that 11302

documentation of the chimes going off?
A. I believe so. Possibly I had a few more seconds at the beginning or end of the test, but that was basically all the footage of that test.
Q. In other words, you did not try it more than once for each one of the three sequences --
A. That's correct.
Q. -- and then select one?
A. Correct. I don't believe we did.
Q. You say you "don't believe we did." Are you sure of that?
A. Possibly the first test we did in the downstairs private area, when the door opened, there was some -- I'm not sure. The door opened -- I think maybe the maid walked in, she opened the door, and she paused for a moment and she didn't continue in, and so I said, "Can we do that over again?" As I recall, that's the only -- and that's the only other footage that may have been shot of that test.
Q. Okay. So we can assume that with regard to the -- for purposes of our discussion, let's just call it the three scenes: The first scene, the door opening; the second scene, the door open and you're upstairs; and the third scene being the door closed and you're upstairs.
A. That's correct.
Q. I think that will help our discussion. 11303

A. Okay.
Q. So for purposes of your testimony, we're to assume, then, that we have the entire footage of everything that was shot in Scene 2?
A. That's correct.
Q. And we can assume that we've seen all of the footage that was shot with regard to Scene 3?
A. That's correct.
Q. And then all of it with Scene 1, except for the small part that you just told us about?
A. Right.
Q. Okay. Now, you said you had an assistant there. Was the assistant present during the entire time that each one of those three scenes was photographed?
A. I believe so, yes.
Q. And what was the role of the assistant?
A. Well, the assistant was there to help me in some other regards, not -- the assistant didn't help me in that scene. The assistant helped me some with my tripod and driving the car at some point and helping with some still photography. That was the purpose of the assistant.
Q. Okay. Now, in connection with the video that we just saw, did you do any still photography to document any of the important aspects of this video?
A. No.

Q. And in other words, you didn't document --
you didn't take still photographs of the location of
the sensors that set off the chimes?
A. That's correct.
Q. And you didn't take any photographs of the
speakers in the rooms that amplified the chimes when
they went off?
A. That's correct, I did not.
Q. Now, with regard to the equipment that you
have, you have a video camera, I take it, a VCR?
A. Correct, a -- well, it's not a VCR.
Q. A CD?
A. It's a mini DV camera.
Q. The latest equipment, let's put it that way.
A. Correct.
Q. And does the microphone that you have on
there have a setting on it that you can turn it up
or down if you choose?
A. There is a setting. I wasn't using it.
Q. So you were using just what the normal
setting is that comes with the equipment?
A. Yes.
Q. Okay. And does the normal setting for the
equipment have a sensitivity level associated with
it?
Usually when you go to the store and you buy
it, it will say on the -- where I shop anyhow, it's
Circuit City, it will tell you, you know, the mike 11305

has this degree of sensitivity, or you can get the lower model with this degree of sensitivity. Can you tell us what the degree was on the normal in your sensitivity, your equipment?
A. Frankly, I can't tell you any specifications as to the sensitivity of it.
Q. And what was the brand of the camera that you were using?
A. Sony VX2100.
Q. Okay. Now, have you ever used, in your professional capacity, a decibel calibrator?
A. No, I haven't.
Q. Have you ever been asked before to try to document and reproduce the sound of something that's made for purposes of courtroom preparation?
A. No, I have not.
Q. So this is your first sort of an experiment into the area of sound reproduction for courtroom purposes?
A. I've used sound for other purposes in videos.
Q. I'm sure of that. But I meant for purposes of documenting and reproducing, as accurately as you can, a sound of something that is important to the case itself. You haven't done that?
A. That's correct.
Q. You are aware that there are some instruments that are called decibel calibrators, 11306

1 correct?
2 A. I would think so, yes.
3 Q. And decibel calibrators are used in order to
4 measure the sound that comes out of a particular
5 speaker or the noise that's made by a particular
6 person, or a band, or whatever it is, correct?
7 A. Correct.
8 Q. Did you attempt to get ahold of a decibel
9 calibrator to calibrate the sound made by the chimes
10 with the sound that you hear coming out of your
11 video equipment?
12 A. I did not. However, my camera has a VU
13 meter in it which does measure the level, but I did
14 not note any levels when I was recording.
15 Q. Now, with regard to the experiment you did,
16 as I understand it, you told the maid -- let's go to
17 the first scene, and this is probably the easiest
18 way to amplify it. In the first scene we see --
19 Gomez?
20 MR. SANGER: Miss Gomez, yes.
21 Q. BY MR. SNEDDON: -- Maria Gomez walk out the
22 door and the door closes. And she walks -- the last
23 time we see her, she's headed away from the camera,
24 correct?
25 A. Correct.
26 Q. Now, you're familiar with the hallway that
27 leads from the front --
28 A. Foyer area. 11307

Q. -- foyer area, thank you, down to the actual
entrance to Mr. Jackson's private room, correct?
A. Correct.
Q. And was her instructions to go all the way
outside of that door that leads into the hallway,
out into the foyer area?
A. Correct. Her instructions were to go all
the way out into the foyer area, turn around and
then come back inside.
Q. All right. Now, with regard to that
particular part of your instructions to her, before
you actually started filming, I'm assuming that you
walked down the hallway yourself, correct?
A. Correct.
Q. And when you did, the sensors set off the
chimes?
A. Correct.
Q. And did you do that more than once to get a
sense of what the sound was like and where the
sensors were that were operative?
A. I don't believe I walked through more than
once. Perhaps I heard it again with my assistant
walking through and others who were there walking
through.
Q. And was it your understanding that in that
hallway, that there are two sensors? One as you
walk through the first door from the foyer, and
another when you approached the door to the entrance 11308

of Mr. Jackson's master suite?
A. Frankly, I don't know where the sensors are.
Q. From the way that the sounds were presented, did you get any sense that the sensors -- that there was more than one sensor involved here?
A. Frankly, I wouldn't know.
Q. So you never looked up into the ceiling to determine where the sensors were located?
A. That's correct.
MR. SANGER: I'd object. That assumes facts not in evidence.
THE COURT: Sustained.
MR. SNEDDON: Actually, Judge, there are photographs.
Never mind, I'll take care of it. I apologize.
Q. With regard to the sensors, were you aware of whether or not there was more than one sensor in that hallway?
A. I didn't know one way or the other.
Q. Were you aware of whether or not all of the sensors in that hallway were operative on the day you did your test?
A. I don't know one way or the other.
Q. Were you aware of whether or not all the sensors in that hallway were operating back in February and March of 2003?
A. I don't know one way or the other. 11309

Q. Were you aware of whether or not the sensors to that hallway were operating on November 18th, 2003?
A. Same answer.
Q. And if I were to ask you the same thing as to December of 2004, it would be the same, correct?
A. Correct. Same answer.
Q. Now, when you go into the room, and you go through the door to Mr. Jackson's master suite, did you determine that there was more than one speaker that amplified the sounds of the chimes in that room?
A. No.
Q. When you heard the sound with your own ear, did you -- did it appear to you that there was more than one speaker in that room?
A. I couldn't say.
Q. Do you know whether or not, in March and February -- February and March of 2003, whether or not there were more than two -- more than one speaker in that room?
A. I don't know.
Q. Do you know whether or not all the speakers were operating at that time?
A. I don't know.
Q. Do you know what speakers were operating on the day you did your test?
A. I don't know. 11310

Q. Do you know what the situation was with the speaker or speakers on November 18th of 2003?
A. Same answer.
Q. And if I'd asked you about December, you'd say the same thing, correct?
A. Correct.
Q. So in doing this test, you made no attempt to try to document exactly where the sound of the chime was coming from; is that correct?
A. That's correct.
Q. And whether or not there was more than one speaker in this video that was producing the sound that was heard by the jury in this case, correct?
A. More than one speaker, that's correct.
Q. Before you went out there, did you ask anybody about how many speakers there were to the chime in order to determine whether or not your video could reproduce the sound of one or more speakers, if they existed?
A. No.
Q. Did somebody from the ranch talk to you about the chime system itself before you did your video?
A. No.
Q. Did you know that there could be some significance attached to the fact that there may be more than one speaker in the downstairs area?
A. No. 11311

MR. SANGER: Objection. Argumentative and assumes facts not in evidence.
THE COURT: Overruled.
You may answer.
MR. SNEDDON: I think you said “No.”
THE WITNESS: Correct. I didn’t know whether it had.
Q. BY MR. SNEDDON: Now, it is -- how many times have you actually viewed the video? Let me see if I can get the number here so we --
A. Maybe six or seven times.
MR. SNEDDON: Is this the chimes one?
MR. SANGER: No, I think that’s the one that’s in the machine.
Q. BY MR. SNEDDON: So the video 5096, Defense Exhibit 5096, you viewed how many times?
A. Six or seven times.
Q. So let’s start with Scene 1.
In Scene 1, when you videoed that, on the time that it shows up on the exhibit, the maid closes the door and she disappears out of our sight and then you hear two series of chimes, the chime rings three times and then three times, correct, back to back?
A. Something like that.
Q. Okay. Yet, when you look at Series 2, or you listen to Series 2 and you listen to Series 3, you don’t hear the chime three times back to back, 11312

do you?
A. They were inconsistent.
Q. So do you have any idea of why they would be inconsistent?
A. No.
Q. So we -- are we to assume, then, that perhaps the maid wasn't doing the same thing consistently when she walked out of the room?
A. You may if you want. I don't know if it had something to do with the maid walking in and out or how the equipment's set up.
Q. How the equipment's set up?
A. Correct.
Q. Your equipment?
A. No, the sensor equipment.
Q. Oh. And it is true, as you indicated on direct examination with Mr. Sanger, that clearly in both Scene 2 and Scene 3, there are times in the beginning where you barely can hear the chime, and then the second series, when it rings and there's a space of time in between, you hear it much louder, correct?
A. Correct.
Q. And you have no idea what accounts for that?
A. That's correct.
Q. And you have no idea where you were whether the very, very, very faint one that you could hear might be the more accurate of the two, do you? 11313

A. Well, it felt like the faint one --
MR. SANGER: I'm going to object to that question as being argumentative and vague. It's ambiguous.
THE COURT: It's vague.
Q. BY MR. SNEDDON: With regard to the Scene 2 film where you can hear -- just barely hear the chimes go off and then there's a sequence that's silent and then you hear the chimes in a somewhat louder fashion, correct?
A. Correct.
Q. Okay. You don't know -- I believe you conceded to us that you have no idea how to account for the difference between the two sounds?
A. Well, one way I account for it is the first chimes are her going out and the second set are her coming in.
Q. So you think that the first set is somebody going out?
A. I think that's what I assume. But I don't know that for sure.
Q. Do you know whether those chimes go off when you go out?
A. Well, it appeared they did on the first test, Test 1, when we were in the downstairs area.
Q. It's your recollection what when the maid closed the door and she walked out of the door, that the chime went off? 11314

A. That's correct.
Q. Now, with regard to the equipment, we heard this CD played with a courtroom-amplified stereo situation, correct?
A. Correct. It's actually a DVD.
Q. DVD. And there, of course, is a volume control on what happens in the courtroom in terms of how loud one plays this particular exhibit, correct?
A. That's correct.
Q. And it would not be your testimony, would it, that the sound of your voice that we heard on that video we would call the normal sound of your voice if somebody were simply standing there without the amplifying equipment in this courtroom?
A. I think it was more or less the normal sound.
Q. You think that was the normal sound of your voice?
A. Well, your own voice --
MR. SANGER: I'm going to object, Your Honor. I think the question is ambiguous as phrased, or vague.
THE COURT: I'll overrule the objection. He was in the middle of an answer when he was interrupted.
Do you remember where you were?
THE WITNESS: Yes.
I was saying when you hear your own voice 11315

played back, it often doesn't sound normal to you.
However, as normal as my voice is when I
hear it played back, that sounded normal.
Q. BY MR. SNEDDON: In terms of the level of
the voice, however, that was louder than what you're
talking right now in the courtroom, isn't it?
A. I don't believe it was louder than one can
hear me amplified. But I'm not sitting where you
are, so I don't really know.
Q. It's clear, is it not, that the effect of
the ability of the person inside the room to hear
would also affect the sound perceived from the
system, correct?
A. Correct.
Q. And it's true that the ability -- or the
degree of concentration of someone in the room could
affect whether they hear the chime or not as we
heard it on the video, correct?
MR. SANGER: I'm going to object as beyond
the scope of direct and beyond the scope of the
expertise of the witness.
THE COURT: Overruled.
You may answer.
THE WITNESS: Can you repeat the question?
THE COURT: I'll have it read back to you.
(Record read.)
THE WITNESS: Frankly, that isn't my
expertise. Maybe. I don't know, if someone is not 11316

concentrating, whether they hear it any less or more.
Q. BY MR. SNEDDON: How about if they were intoxicated?
MR. SANGER: Objection.
THE WITNESS: I also --
MR. SANGER: Lack of foundation.
THE COURT: Sustained.
Q. BY MR. SNEDDON: How about if there were other noises in the room at the time?
A. That could affect things.
Q. So there's a number of variables in -- let me just put it this way: Is this a fair statement: That the video that the jury saw in this case was a video done in the most ideal situation for hearing those chimes?
A. I don't know that it was the most ideal situation. As I said before, the third test with the door closed I remember hearing the chimes louder than they appear in playing back the tape.
Q. There were no inside noises --
A. Correct.
Q. -- to interfere? And there were no outside noises to interfere?
A. Correct, not that I recall.
Q. All right. Let's talk about the video.
A. Okay. 11317

THE COURT: How much time are you planning on going beyond the --
MR. SNEDDON: I wasn't planning on going beyond, because I know you don't let people go beyond.
THE COURT: I meant --
MR. SNEDDON: I've learned that lesson in three months.
I don't see any way I'm going to finish. I was actually trying, but I can't get it done in four minutes, in fairness.
THE COURT: Okay. Then what I'd like to do is have you stop questioning the witness right now, but I would like you and Mr. Mesereau to approach for a moment so I can ask you about a scheduling problem.
You may step down, sir. Thank you.
THE WITNESS: Thank you.
THE COURT: I think you want him back Monday, right?
MR. SANGER: Yes, Your Honor.
MR. SNEDDON: Could we talk about that?
THE COURT: Yes. Come forward.
(Discussion held off the record at sidebar.)
THE COURT: All right. The reason I wanted to have a conference with counsel is what we're going to do is to --
Is he available? 11318

MR. SANGER: He said that Monday would be much better. But if you prefer, he will be here tomorrow morning.
THE COURT: Okay. I prefer.
MR. SANGER: Okay. He'll be here.
THE COURT: (To the jury) Here's what the plan for tomorrow is. The reason we had to cancel your day off tomorrow is that Mr. Geragos is coming back to complete his examination tomorrow. We have about 20 minutes or 30 minutes, at the most, left with the present witness and then we're going to have Mr. Geragos on. And how much time he is going to take is not -- I can't predict that for you. There's some issues that I haven't resolved. And then there's the attorneys, whatever time they take. But what I wanted you to know was that whatever time he takes, then we will quit at the end of his testimony. So that, you know, if you keep staring at the attorneys when they ask questions.... All right. With that, I'll see you tomorrow.
And I think there's nothing else for me to do.
MR. MESEREAU: I don't think so, Your Honor, no.
THE COURT: All right. Court's in recess.
(The proceedings adjourned at 2:30 p.m.)
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REPORTER'S CERTIFICATE

THE PEOPLE OF THE STATE)
OF CALIFORNIA,)
Plaintiff,)
-vs-) No. 1133603
MICHAEL JOE JACKSON,)
Defendant.)

I, MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304, Official Court Reporter, do hereby certify:

That the foregoing pages 11168 through 11319 contain a true and correct transcript of the proceedings had in the within and above-entitled matter as by me taken down in shorthand writing at said proceedings on May 19, 2005, and thereafter reduced to typewriting by computer-aided transcription under my direction.

DATED: Santa Maria, California, May 19, 2005.

MICHELE MATTSON McNEIL, RPR, CRR, CSR #3304